United Nations A/63/545

General Assembly

Distr.: General
13 November 2008

Original: English

Sixty-third session
Agenda item 129
Administration of justice at the United Nations

Administration of justice

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on administration of justice at the United Nations (A/63/314). The Committee also had before it the reports of the Secretary-General on the activities of the Ombudsman (A/63/283) and on the outcome of the work of the Joint Appeals Board during 2006 and 2007 and statistics on the disposition of cases and work of the Panel of Counsel (A/63/211). During its consideration of the reports, the Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. By its resolution 62/228, the General Assembly established the basic framework of the new system of administration of justice at the United Nations and approved the establishment of a series of posts for the formal and informal systems. In response to the resolution, the Secretary-General submitted a report (A/62/782) in which he elaborated on a number of issues, including categories of non-staff personnel, details of the functioning of the formal part of the system and transitional measures required for the Organization to shift smoothly to the new internal justice system, which was expected to be in place by 1 January 2009. The report also contained proposals for the draft statutes of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal. That report, as well as the related report of the Advisory Committee (A/62/7/Add.39), are currently before the Assembly. The most recent report of the Secretary-General on administration of justice (A/63/314) addresses other requests made by the Assembly in resolution 62/228, including those concerning the delegation of authority on disciplinary matters, the conditions of service of judges in the new system of internal justice, mechanisms for the formal removal of judges, a staff-funded scheme for legal assistance for staff and possible uses of information and communications technology in the administration of justice system.

08-60131 (E) 171108

3. In this connection, the Advisory Committee points to the coordinating role of the Deputy Secretary-General, as Chairperson of the Management Committee, in such reforms as the new system of administration of justice.

II. Administration of justice at the United Nations

A. Preparations for the new system of administration of justice

4. The Advisory Committee notes the information provided by the Secretary-General in paragraphs 4 to 8 of his report on administration of justice at the United Nations (A/63/314) regarding the establishment of the Internal Justice Council, the circulation of vacancy announcements for judicial positions on the Dispute and Appeals Tribunals, and the preparation and advertisement of new posts in the Office of Administration of Justice. The Committee was informed that some other activities had been completed, such as the convening of an administration of justice management group, which includes staff working in the current internal justice system and representatives from all of the offices concerned (the Office of the Under-Secretary-General for Management, the Office of Human Resources Management, the Office of Programme Planning, Budget and Accounts, the Office of Legal Affairs, the Executive Office of the Secretary-General, the Office of the Deputy Secretary-General, the Ombudsman's Office and the United Nations funds and programmes) and the establishment of working groups to address specific administration of justice issues.

5. During its exchanges with the representatives of the Secretary-General, the Committee was informed that the Secretariat was behind schedule in the preparatory work related to the implementation of the new system of internal justice. Since the adoption of General Assembly resolution 62/228 in December 2007, none of the 30 posts authorized for the Office of Administration of Justice (18 new posts and 12 redeployments) have been filled. Upon request, the Committee was provided with additional information on the status of recruitment for those posts (see annex I). The Committee notes in particular that the key position of Executive Director has still not been filled; however, the selection process is under way. As a consequence of the lack of staff in the Office, as well as the fact that the statutes of the Dispute and Appeals Tribunals have not yet been adopted, delays have occurred in such areas as the development of procedures for the transition phase, a code of conduct for legal practitioners, terms of reference for the registries and a training and communications plan for the new system of internal justice. As regards the Office of the Ombudsman, the Mediation Division has yet to be established, and the terms of reference for the Ombudsman are still under preparation (see also para. 46 below). The Committee also notes that the Secretariat has not yet been able to reach agreement on cost-sharing arrangements with the funds and programmes for the new system of administration of justice and the Office of the Ombudsman (see also para. 45 below).

6. The Advisory Committee notes that in a letter dated 27 October 2008, the President of the General Assembly transmitted to the Chairman of the Fifth Committee a letter from the Chairman of the Sixth Committee transmitting the draft statutes of the Dispute Tribunal and the Appeals Tribunal, as adopted by the Sixth Committee (A/C.5/63/9). In the view of the Advisory Committee, the expeditious

adoption of the statutes of the Dispute and Appeals Tribunals is of critical importance. The Committee also notes the issuance of the report of the Internal Justice Council (A/63/489) regarding candidates for the Tribunals.

7. **In view of the delays outlined above, as well as the tasks still outstanding, the new system of administration of justice may not be ready for implementation in January 2009, as envisaged by the General Assembly in paragraph 36 of its resolution 61/261. The Advisory Committee emphasizes that every effort should be made to complete the preparatory work required to implement the new system of administration of justice as a priority issue. The Committee therefore recommends that the Assembly request the Secretary-General, as necessary, to update the timeline for the implementation of the new system of internal justice. In this connection, the Committee is of the view that the timely appointment of an Executive Director of the Office of Administration of Justice is particularly important for providing the leadership necessary to direct preparatory work so that the new system of internal justice can be launched as soon as possible after the adoption of the statutes of the Dispute and Appeals Tribunals. The Assembly may also wish to request the Secretary-General to make the necessary preparations to ensure that the existing system can continue to function satisfactorily in the meantime (see also A/62/7/Add.39, para. 15).**

8. With respect to the clearing of backlogs of the Joint Appeals Boards, the Joint Disciplinary Committees, the Panel of Counsel, the Administrative Law Unit in the Office of Human Resources Management and the United Nations Administrative Tribunal, the Advisory Committee notes that, despite the additional resources provided by the General Assembly for this purpose, progress was affected by the exceptionally large number of new cases filed in the first half of 2008. A high proportion of those were disciplinary cases, which are generally more time-consuming (see A/63/314, para. 9). In response to its enquiry, the Committee was provided with data on the evolution of the number of disciplinary cases handled by the Office of Human Resources Management in the past few years, as shown in table 1 below. The average time required to complete cases referred from the Department of Peacekeeping Operations and the Department of Field Support increased from 6.7 months in 2005 to 7.5 months in 2006 and 9.9 months in 2007, but was reduced to 6.2 months for the cases handled so far in 2008. The Committee was also informed that a censure had been imposed for two disciplinary cases in 2005 and three each in 2006 and 2007. Of those, one case involved the imposition of a fine. In 2008, three censures have been imposed to date.

9. Concerning cases before the United Nations Administrative Tribunal, the Advisory Committee also notes that, while 15 cases were disposed of during an extra session of the Tribunal held in April/May 2008, the Secretary-General expects a backlog exceeding 130 cases at the end of the year (see A/63/314, para. 10).

Table 1
Summary of disciplinary cases handled by the Administrative Law Unit of the Office of Human Resources Management

	Review cases		*Appeal cases*				*Disciplinary cases*				
	Total	*Completed*	*Carried over from previous year*	*New*	*Total*	*Completed*	*Carried over from previous year*	*New*	*Total*	*Completed*	*Total*
2006	157	79	31	68	99	78	51	72	123	66	379
2007	157	109	21	55	76	67	57	173	230	79	463
2008[a]	181	84	80	45	125	44	143	277	448	84	754
2008[b]	240				150				560		

[a] Based on the number of cases received as at 24 October 2008.
[b] Projected for 31 December 2008 based on the number of cases as at 24 October 2008.

10. The Advisory Committee notes the increase in the number of disciplinary cases, from 72 in 2006 to 173 in 2007 and 277 in 2008. It also notes that no analysis of the causes of this trend or information on corrective measures taken to contain the number of new cases is provided in the report of the Secretary-General. **In the view of the Committee, the Secretary-General should monitor and analyse such trends on an ongoing basis and keep the General Assembly informed of any exceptional developments. The absence of any explanation as to the underlying causes of the higher number of new disciplinary cases, as well as the variations in the time required to complete them, is of particular concern in view of the fact that the report of the Secretary-General is devoted largely to proposals for dealing with such cases (ibid., paras. 11-49). The Committee emphasizes the need to address the backlog of disciplinary cases as a matter of urgency, using available resources as efficiently as possible.**

B. Delegation of authority for disciplinary matters

11. The Advisory Committee recalls that the Redesign Panel on the United Nations system of administration of justice had recommended delegating authority to heads of offices away from Headquarters and heads of mission to handle disciplinary cases and to impose the full range of disciplinary measures (A/61/205, para. 27). The Secretary-General had proposed limited delegation of authority to heads of offices away from Headquarters and heads of mission to impose minor sanctions, while the authority to impose more severe sanctions would remain with the Under-Secretary-General for Management (A/62/294, para. 116). In paragraph 49 of its resolution 62/228, the General Assembly requested a detailed proposal regarding possible options for the delegation of authority for disciplinary measures, including full delegation, as well as an assessment of possible implications for the due process rights of staff members. In that resolution, the Assembly also decided to endorse, in principle, the delegation of authority for disciplinary measures to heads of offices away from Headquarters and heads of mission/Special Representatives of the Secretary-General.

12. The current proposals of the Secretary-General were submitted in response to that request. The Secretary-General emphasized the need to ensure the consistent application of disciplinary measures as well as full and equal access to the new system of administration of justice before any delegation of authority is implemented.

13. Concerning the option for delegation of the full range of disciplinary authority, the Secretary-General, while recognizing its advantage in eliminating some of the current delays, mainly described the associated constraints and risks. He argued in his report that in order to ensure a consistent application of disciplinary measures among different duty stations, a robust system must be in place in the field, requiring decentralization of all the formal and informal components of the new administration of justice system. He further argued that such decentralization would require a major organizational effort, which might not be cost-effective in all duty stations. The Secretary-General appeared to remain convinced that the option for full delegation of authority was not feasible at this stage, largely on the basis of the arguments put forward in his previous report (A/62/294, para. 116).

14. The Secretary-General reiterated his earlier proposal for limited delegation of authority to heads of office/mission for certain proceedings, which would allow the imposition of minor sanctions, including censures and/or fines at an appropriate level, while the authority to impose more severe disciplinary measures under chapter X of the Staff Rules would remain with the Under-Secretary-General for Management (A/63/314, para. 19; see also para. 11 above). In this context, the Secretary-General proposed to proceed in a phased manner, beginning with a selected number of peacekeeping operations (the United Nations Organization Mission in the Democratic Republic of the Congo; the United Nations Mission in the Sudan, also covering the African Union-United Nations Hybrid Operation in Darfur; and the United Nations Mission in Liberia, also covering the United Nations Operation in Côte d'Ivoire and the United Nations Integrated Peacebuilding Office in Sierra Leone) (see A/63/314, paras. 47 and 87).

15. Upon enquiry as to the commitment authority mentioned in paragraph 47 of the report of the Secretary-General (A/63/314), the Advisory Committee was informed that 12 positions would be required (3 P-4 Legal Officers, 3 P-3 positions, 3 General Service staff and 3 National Officers). The Committee was further informed that those were the same positions requested by the Secretary-General previously (see A/62/294), including, for each mission, a P-4 Legal Officer reporting to the Department of Management to provide the heads of the missions with advice on disciplinary decisions and to support the management evaluation function (ibid., para. 158), as well as one P-3, one General Service position and one National Officer reporting to the Office of Staff Legal Assistance at Headquarters (ibid., para. 156). Furthermore, the Committee was informed that the Secretary-General intended to accommodate the related requirements of $294,000 from within the approved budget of the support account for peacekeeping operations for the 2008/09 period. At full cost, this would amount to some $909,400 a year. The General Assembly would subsequently be requested to approve the establishment of the same positions under the support account for 2009/10.

16. The Secretary-General reported that certain prerequisites in respect of human resources, administrative instructions, guidelines and training, as well as the relevant manuals and standard operating procedures, must be in place prior to the

introduction of the proposal for limited delegation of authority for disciplinary measures (A/63/214, paras. 21-25). As indicated by the Secretary-General in paragraph 25 of his report, much work still remains to be done in respect of the prerequisites. The Advisory Committee has also identified some areas that require further clarification. Among the outstanding issues are the following:

(a) The Secretary-General has not completed the comprehensive review of the recommendations for disciplinary action made by heads of mission to Headquarters under the current system, which he considers to be essential for the formulation of a concrete proposal on the imposition of fines and/or censures and which will form the basis for the development of guidelines for programme managers on the level of such fines and censures (ibid., para. 24). In his previous report (A/62/294, para. 120), the Secretary-General had indicated that a comprehensive monitoring exercise would be undertaken prior to the implementation of the new system in January 2009;

(b) With respect to the investigation process, the Committee notes that training for programme managers is being designed by the Office of Internal Oversight Services (see A/63/314, para. 23) and that standard operating procedures will be developed by the Office of Human Resources Management for investigations and fact-finding functions conducted under the authority of programme managers (ibid., paras. 30-33). In this regard, the Committee emphasizes the importance of the contribution of the Office of Internal Oversight Services. It also stresses the need for specification of the roles and responsibilities of the various entities mentioned in the report of the Secretary-General. The Committee has commented on this issue in its report on strengthening investigations (A/62/7/Add. 35, para. 6);

(c) With respect to staff legal assistance, the code of conduct for persons providing such assistance is still under preparation. The Committee notes the Secretary-General's statement regarding the obligation of the legal officer to consult the legal counsel for the staff member before advising the head of mission or head of office away from Headquarters as to whether disciplinary proceedings should be initiated (A/63/314, para. 37). The Committee considers that a number of questions regarding legal assistance for staff remain to be clarified. These include the type of legal assistance that would be provided to staff and the stage of the proceedings at which such assistance would be provided, as well as the possible contribution and/or assistance of staff (see also para. 33 below);

(d) The procedures related to the new mechanisms of the disciplinary process, including the reporting of misconduct, investigations, the due process rights of staff, the evaluation of investigation reports and disciplinary proceedings, have not yet been completed. The Committee notes that, according to the Secretary-General, staff will be consulted on those matters and a revised administrative instruction relating to the modalities of the disciplinary process will be issued (ibid., para. 25). The Committee recognizes, however, that the administrative instruction can be finalized only following a decision by the General Assembly on the policy regarding limited delegation of authority. In this context, the Committee emphasizes the need to ensure effective monitoring and adequate guidance on the delegation of authority for disciplinary cases, as well as clear consequences for the failure to exercise such delegated authority in a proper manner (A/63/526, para. 11). There is also a need for clearly defined lines of responsibility and accountability in the disciplinary process.

17. **The Advisory Committee is of the view that the Secretary-General's proposals on limited delegation of authority are incomplete in respect of numerous key issues. Furthermore, the Committee considers that the Secretary-General's proposals do not fully respond to the request of the General Assembly in paragraph 49 of its resolution 62/228 in that they do not provide "an assessment of possible implications for due process rights of staff members" nor do they present "options for delegation of authority for disciplinary measures".**

18. The Advisory Committee also considers that the Secretary-General has not fully evaluated the option for limited delegation of authority in terms of its effectiveness or cost, including the additional resources that would be required at Headquarters to deal with the more serious remaining cases in an expeditious manner. Limited data are provided on the actual number of cases opened and disposed of in peacekeeping missions. Furthermore, the Secretary-General does not provide an estimate of the number of minor cases that would be processed at the mission level and those that would continue to be handled at Headquarters, or target time frames for the completion of cases. The basis for the resources proposed for each mission (1 P-4, 1 P-3, 1 National Officer and 1 General Service staff) is therefore not clear. **In the Committee's opinion, efforts should be made to ensure that requests for such resources are based on estimates of the workload and tasks that would actually be carried out by the staff once on board.**

19. The Advisory Committee considers that further efforts are required to explore other options for managing disciplinary cases, as well as a fuller analysis of the advantages and disadvantages of each option. For example, the Secretary-General should evaluate whether the resources envisaged to support limited delegation of authority might, in fact, be compatible with those required to support full delegation of authority, covering the whole range of sanctions. He should also consider a more centralized approach, without delegation of authority for disciplinary matters to peacekeeping operations but with a strengthened central operation to deal with a higher volume of cases expeditiously. In this connection, the Committee emphasizes the need to draw upon lessons learned and experiences gained in the context of the exercise of delegation of authority and decentralization of activities and structures. **Accordingly, the Committee recommends that the Secretary-General be requested to submit a new proposal to the General Assembly at its resumed sixty-third session, including a variety of options, with full costing.**

20. Upon enquiry, the Advisory Committee was informed that at present, all discipline-related matters, including the decision to place a staff member on administrative leave pending investigation, are centralized in the Office of Human Resources Management in New York. The Committee was also informed that there was currently no capacity in the field to deal with disciplinary issues and that neither the conduct and discipline teams nor the directors of mission support had a mandate in respect of disciplinary decisions. At present, the conduct and discipline teams are involved only in the predisciplinary process (receipt and categorization of allegations, and provision of advice to the Special Representatives of the Secretary-General and heads of mission on all matters related to conduct and discipline in the missions) while the involvement of the directors of mission support in the disciplinary process is limited to transmitting the decisions of the Office of Human Resources Management to the staff members concerned and implementing the decision at the administrative level.

21. The Advisory Committee notes that, should a staff member decide to contest the imposition of a disciplinary measure by the head of mission or office away from Headquarters, such a decision would be subject to a management evaluation conducted by the Department of Management (A/63/314, para. 40). It recalls that in paragraph 52 of its resolution 62/228, the General Assembly established an independent Management Evaluation Unit in the Office of the Under-Secretary-General for Management with one Chief of Unit (P-5), two Legal Officers (P-4) and three Administrative Assistants (General Service (Other level)) and general temporary assistance equivalent to one P-4 Legal Officer position.

22. Upon enquiry, the Advisory Committee was informed that it was the Secretary-General's understanding that the management evaluation would be conducted by the Under-Secretary-General for Management, with the assistance of the Management Evaluation Unit and the manager who made the contested decision. The management evaluation process would determine whether a decision made by the head of office, department or mission was proper and, ultimately, whether the delegation of authority had been properly exercised. On that basis, the Under-Secretary-General for Management could correct inappropriate or improper decisions on matters relating to human resources and finance or provide appropriate remedies. If circumstances merited it, the Under-Secretary-General for Management could also contemplate the withdrawal of delegated authority.

23. **Given that the General Assembly, in section III.E of its resolution 62/228, did not specifically confer such a role to the Under-Secretary-General for Management, the Advisory Committee considers that the Assembly may wish to clarify the potential role of the Under-Secretary-General in the management evaluation process, as well as the independence of the Management Evaluation Unit.**

C. Cost-sharing arrangements

24. The Advisory Committee recalls that in paragraph 62 of its resolution 62/228, the General Assembly decided to approve the cost-sharing arrangement proposed by the Secretary-General in his previous report (A/62/294, paras. 161 and 162), which was based on the total number of staff members in the Secretariat and in the funds and programmes. In paragraph 63 of the same resolution, the Assembly urged the Secretary-General to conclude cost-sharing arrangements with the relevant funds and programmes by July 2008. The Assembly further requested the Secretary-General to report to it at the main part of its sixty-third session on the results of the negotiations between the United Nations and other participating entities on cost-sharing arrangements for the system of administration of justice (para. 67 (b)) and viable options for programme support cost/trust funds to share the cost of the new internal justice system (para. 67 (d)).

25. The Advisory Committee is aware that the funds and programmes have raised concerns about cost-sharing arrangements for the system of administration of justice and that discussions are still under way (A/63/314, para. 71). **Nonetheless, the Committee does not agree with the suggestion of the funds and programmes that cost-sharing arrangements be determined on the basis of actual cases disposed of rather than the "headcount", or total number of staff. In the Committee's view, the workload generated can be substantially different from**

case to case and the number of cases disposed of can fluctuate considerably from year to year. Furthermore, a method based on actual cases disposed of poses a number of questions on the manner in which it would be applied, namely, at what stage the actual share of costs would be known, how provision for such costs would be made in the respective budgets of the concerned entities and other practical questions related to its implementation. In addition, this approach would not be consistent with the headcount method currently applied for the three bodies of the United Nations that are financed on an inter-agency basis, namely, the International Civil Service Commission, the Joint Inspection Unit and the United Nations System Chief Executives Board for Coordination.

26. **Accordingly, the Advisory Committee recommends that the General Assembly request the Secretary-General to pursue discussions with the funds and programmes on cost-sharing arrangements based on headcount, as originally envisaged. The Committee expects that the Secretary-General will exercise his leadership to conclude negotiations on this matter expeditiously.**

D. Compensation of judges of the Dispute Tribunal and the Appeals Tribunal

27. The Secretary-General's proposals for the compensation of judges are set out in paragraphs 82 and 83 of his report (A/63/314). He states his intention to compensate the judges as follows:

(a) Judges of the Dispute Tribunal would be considered United Nations officials and would be compensated at the D-2 level. The detailed modalities of the salaries and allowances are provided in annex I to the report. Part-time judges would be compensated on the basis of the principles contained in administrative instruction ST/AI/291/Rev.1 on part-time employment, as appropriate;

(b) Judges of the Appeals Tribunal would be paid an honorarium equivalent to the rates applied to be judges at the International Labour Organization Administrative Tribunal.

28. **The Committee recommends approval of the Secretary-General's proposals regarding the compensation of judges.**

E. Mechanisms for the removal of judges

29. The Secretary-General's proposals regarding mechanisms for the removal of judges are outlined in paragraphs 73 to 79 of his report (A/63/314). In his previous report (A/62/294, para. 70), the Secretary-General had proposed that the removal of judges by the General Assembly be initiated at the request of the Secretary-General. The Secretary-General proposed that allegations of misconduct or incapacity of a judge be brought to the attention of the President of the Dispute or Appeals Tribunal, which would establish a panel of specialists to investigate the allegations. According to the Secretary-General, this would be consistent with the practice of administrative tribunals of other international organizations. The Advisory Committee notes that the report of the panel would be reviewed by the entire Tribunal, with the exception of the judge under investigation, and if there were a unanimous opinion that the allegation of misconduct or incapacity were well

founded, the President of the Tribunal would report the matter to the General Assembly and request the removal of the judge (A/63/314, para. 78). The Secretary-General indicated that that approach was aimed at addressing concerns about a potential conflict of interest, since Tribunal judges are mandated to review challenges to administrative decisions made by him. With respect to the proposal concerning the panel of specialists for investigating allegations of misconduct or incapacity of judges, the Committee was informed, upon enquiry, that it would be composed of external experts rather than United Nations officials or staff members in order to eliminate concerns about potential conflicts of interest.

F. Revisions to the Staff Regulations

30. In paragraph 80 of his report (A/63/314), the Secretary-General is seeking the approval of the General Assembly for the revision of staff regulations 10.1 and 11.1, which would come into effect simultaneously with the implementation of the new system of administration of justice on 1 January 2009. The Advisory Committee points out that the proposed amendments are contingent upon the adoption of the statutes of the Tribunals and/or the procedures for dealing with disciplinary cases. **Accordingly, it recommends that consideration of the proposed revisions to staff regulations be deferred.**

31. Upon enquiry, the Advisory Committee was informed that the provisional promulgation of the revised staff regulations effective 1 January 2009 was consistent with staff regulation 12.4, which states:

> The provisional rules and amendments reported by the Secretary-General, taking into account such modifications and/or deletions that may be directed by the General Assembly, shall enter into full force and effect on 1 January following the year in which the report is made to the Assembly.

G. Staff-funded scheme for legal assistance

32. The General Assembly has on numerous occasions reiterated its invitation to staff representatives to further explore the possibility of establishing a staff-funded scheme in the Organization that would provide legal advice and support to the staff (resolutions 61/261, para. 24, and 62/228, para. 17). The Advisory Committee notes the challenges cited by the Secretary-General in establishing such a fund and, in particular, notes that the idea lacks support among the staff (A/63/314, paras. 51-53). As indicated in paragraph 52 of the report, staff representatives stated that by joining the United Nations staff members lose their right to pursue labour-related disputes according to their national legislation and that in many national jurisdictions, those rights include access to legal representation. The Committee also notes that staff unions have expressed their willingness to enhance the ongoing support for staff volunteering professional legal counselling and to cooperate with the Secretary-General to develop incentives to enable and encourage staff to continue to participate in the work of the Office of Staff Legal Assistance, as requested in resolution 62/228 (ibid., para. 55).

33. **The Advisory Committee reiterates its position that the formal provision of legal assistance by the Organization should be complemented by some form of staff participation and/or contribution (A/62/7/Add.7, para. 45; see also**

para. 16 (c) above). In its view, this would ensure that staff have a stake in the process and could discourage frivolous litigation. The Committee requests that the Administration continue to work with staff representatives to seek creative methods for encouraging staff participation in and/or contribution to the process.

H. Information and communications technology

34. The Advisory Committee notes with interest the Secretary-General's proposals regarding the use of information and communications technology to improve the functioning of the system of administration of justice in response to paragraph 71 of General Assembly resolution 62/228. Emphasis is placed on using information and communications technology to improve transparency and speed in the processing of cases, as well as on providing access to information via the Internet and the electronic filing of submissions. The Committee notes that the Secretariat is in contact with the International Tribunal for the Former Yugoslavia in this regard. **The Committee emphasizes that the information and communications technology systems put into place should ensure full confidentiality, include appropriate safeguards and be designed for ease of use.**

III. Outcome of the work of the Joint Appeals Board during 2006 and 2007 and statistics on the disposition of cases and work of the Panel of Counsel

35. The Advisory Committee takes note of the report of the Secretary-General on the outcome of the work of the Joint Appeals Board during 2006 and 2007 and statistics on the disposition of cases and work of the Panel of Counsel (A/63/211). It notes the sharp increases in the number of appeals and suspension cases filed (ibid., table 1) in almost all duty stations. With respect to the work of the Panel of Counsel, the Committee notes that the number of new cases brought to the Panel in New York increased by 15.3 per cent, from 294 in 2006 to 339 in 2007, and that of the 339 new cases, 240 went through formal appeals processes and 99 were dealt with informally (ibid., para. 12).

36. **The Advisory Committee is of the view that it would be helpful if, in the future, statistical tables in the report included, in addition to the number of cases filed and disposed of during a given period, data on the outstanding cases at the beginning and end of each period and statistical data on five-year or longer trends. In addition, the Committee encourages the Secretariat to provide further analysis, elaborate on the activities accomplished and highlight trends and systemic issues.**

IV. Activities of the Ombudsman

37. The report of the Secretary-General on the activities of the Ombudsman during the period from 1 August 2007 to 31 July 2008 (A/63/283) was submitted in accordance with General Assembly resolution 59/283.

38. The Advisory Committee notes that a total of 670 new cases were opened during the reporting period (ibid., para. 23), as compared to 667 during the previous period (see A/62/311, para. 19). The main types of issues brought before the Ombudsman continue to be related to promotion and career advancement (23 per cent), interpersonal issues (18 per cent), issues related to conditions of service (15 per cent), entitlements (13 per cent) and separation and termination issues (11 per cent) (A/63/283, paras. 28-34).

39. The Ombudsman has identified a number of areas of systemic malfunction, including perceived disparities in recruitment processes, mobility and career development. Upon enquiry, the Advisory Committee was informed that the Ombudsman communicates his findings during meetings with the Secretary-General and other members of the Administration through annual reports on the activities of the Ombudsman and through interactions and consultations on individual cases. The Committee was further informed of the Ombudsman's intention to engage all stakeholders in this process, including staff representatives, in the future.

40. The Advisory Committee notes that, as requested by the General Assembly in paragraph 32 of its resolution 62/228, the Secretary-General reported on specific measures taken by the administration to address seven systemic human resources issues raised in the report of the Secretary-General on the activities of the Ombudsman (A/62/311) in the context of the reform of the internal system of administration of justice (A/63/132). These issues relate to promotion and career issues; mobility; the different sets of benefits and entitlements for locally and internationally recruited staff members; contractual arrangements; the status of special entities established with the United Nations (Special Court for Sierra Leone and United Nations Assistance to the Khmer Rouge Trials); staff welfare activities and coverage for psychological care. Those questions were considered by the Committee in the context of its deliberations on human resources management (see A/63/526). **The Committee is of the view that the Secretary-General should report regularly to the General Assembly on actions taken to address the findings of the Ombudsman on systemic issues.**

41. The Advisory Committee notes with concern the comments of the Ombudsman concerning the lack of clarity and overlap in the role of the Office of the Ombudsman and that of other offices, such as the Ethics Office (see A/63/283, para. 83). Upon enquiry, the Committee was informed that there were 10 cases that had been dealt with jointly by the Office of the Ombudsman and the Ethics Office. In such cases, the decision to place a case before either office or to waive any requirements for confidentiality is made by the concerned staff member alone. The Committee commented on the possible duplication of work between the Office of the Ombudsman and the Ethics Office in its report on human resources management (A/63/526, paras. 95 and 96). **It urges the Secretary-General to clarify the respective roles and responsibilities of the Office of the Ombudsman and the Ethics Office as a matter of priority.** The Committee further notes the recommendation to update the information circular on conflict resolution in the Secretariat (ST/IC/2004/4) to reflect the new system of administration of justice as a matter of priority (see A/63/283, para. 83). **It recommends that the Secretary-General ensure the expeditious issuance of the updated information circular on conflict resolution.**

42. With respect to performance, the Advisory Committee was informed that the Office of the Ombudsman measures the satisfaction levels of its clients through such

indicators as staff feedback and the number of users of its services. The Committee was also informed that the Office was evaluated periodically by independent experts in the field.

43. The Advisory Committee notes the timely appointment of the new Ombudsman in April 2008, as the Office undergoes restructuring and strengthening of its capacity, which involves: (a) the creation of a single, integrated and geographically decentralized Office of the Ombudsman to serve the Secretariat and the United Nations funds and programmes; (b) the establishment of a Mediation Division; and (c) the creation of regional offices in Geneva, Vienna, Nairobi, Bangkok and Santiago, as well as in the Democratic Republic of the Congo and the Sudan (see A/63/283, paras. 5-8, 53 and 55). **The Committee considers the strengthened Office of the Ombudsman, as well as the new Mediation Division, to be key elements of the new internal justice system, which should be instrumental in facilitating the early resolution of conflicts in the United Nations. It emphasizes that both the formal and informal components of the system of internal justice must be effective in order to ensure that cases are disposed of in a fair and timely manner.**

44. The Advisory Committee was informed that the Ombudsman had intensified efforts to coordinate and cooperate with his counterparts at the funds and programmes in order to harmonize and enhance the complementarity of their roles and services. With respect to the establishment of the Mediation Division at Headquarters, the Committee was informed that job descriptions for the new posts authorized by the General Assembly had been submitted for classification and were to be advertised shortly. Standards of procedures and working guidelines for the Mediation Division are also being developed. As regards the creation of the branch offices, the Office is currently in the process of reviewing applications for the selection of regional Ombudsmen and related staff. A summary of vacant posts and their recruitment status was provided to the Committee (see annex II).

45. As regards cost-sharing arrangements with the funds and programmes, the Advisory Committee notes that further negotiations are under way regarding the details of cost-sharing in relation to the integrated Office of the Ombudsman (see A/63/314, para. 71). The Committee was informed that those negotiations were required in view of the fact that not all the resources in the integrated Office of the Ombudsman would be subject to cost-sharing, given that some of the posts in the Office of the Ombudsman (2 D-1 Principal Officers, 1 P-3 Case Officer and 2 General Service (Other level) Administrative Assistants) were currently funded by the United Nations Development Programme, the United Nations Population Fund, the United Nations Children's Fund and the United Nations Office for Project Services (see annex III). **The Committee expects that the Secretary-General will report to the General Assembly on the results of the negotiations.**

46. The Advisory Committee enquired as to the status of the elaboration of the revised terms of reference for the Ombudsman, taking into account the changes in functions, presence and proposed locations, as requested by the General Assembly in paragraph 67 (a) of its resolution 62/228. It was informed that the terms of reference were currently being revised to incorporate the new elements of the reform of the administration of justice system. **The Committee urges the Ombudsman to complete this process as a matter of priority and to issue the revised terms of reference as rapidly as possible.**

47. The Advisory Committee was informed that the report on the activities of the Ombudsman was transitional and that the integrated Office of the Ombudsman would issue its first joint report in 2009. The Office of the Ombudsman is in the process of assessing the format and content of current reports with the funds and programmes in order to evaluate best practices and develop an appropriate structure for the future joint report. In addition, the Ombudsman intends to put into place common procedures and methodologies for gathering and processing data, as well as shared databases and information and communications technology tools.

48. The Advisory Committee exchanged views with the representatives of the Secretary-General on possible improvements in the format and content of the report on the activities of the Ombudsman. **In the view of the Committee, it would be helpful if future reports included monthly data and analysis for the current period as well as statistical information on cases and analysis of data and trends over a five-year period or longer. In addition, the Committee is of the view that consideration should be given to ways of measuring the effectiveness of the interventions of the Ombudsman.** In his comments on the report of the Redesign Panel, the Secretary-General stated that one of the objectives of a strong system of informal dispute resolution was to avoid unnecessary, costly litigation and to promote early problem-solving in disputes between managers and their staff (see A/61/758, para. 12). **The Committee believes that the report on the activities of the Ombudsman should provide relevant indicators that allow an assessment to be made of progress towards such goals. One such indicator could be the number of cases seen by the Ombudsman's Office that proceed to the formal system.**

49. **The Advisory Committee expects that the report on the activities of the Ombudsman will serve as a useful information resource as the new system of internal justice is put into place and will allow an assessment of the impact and effectiveness of the new methods of work. The Committee encourages the Ombudsman to elaborate on statistics and data in the report by providing descriptive material based on actual work performed, without prejudicing staff confidentiality.**

50. Upon request, the Advisory Committee was provided with additional information on the number of judgements of the United Nations Administrative Tribunal involving a person who has had prior contact with the Ombudsman's Office (see table 2).

Table 2
United Nations Administrative Tribunal cases involving a person who has had prior contact with the Office of the Ombudsman

Year	*Judgements*	*Judgements concerning Ombudsman's client*
2004	59	5
2005	59	12
2006	35	4
2007	55	15
2008	41	15
Total	**249**	**51**

51. Approximately 20 per cent of the persons who brought their cases to the United Nations Administrative Tribunal over the past five years had been in contact with the Office of the Ombudsman. In addition, the Office was able to determine that, in a considerable number of cases, the Tribunal ruled that the client did not have a case.

Annex I

Status of recruitment for posts established in the Office of Administration of Justice

(As at 28 October 2008)

	Post	*Level*	*Remarks*
A. Office of the Executive Director			
New York	Executive Director	D-2	Vacancy announcement closed
	Special Assistant	P-4	Vacancy announcement closed
	Administrative Assistant	G-6	Vacancy announcement closed
B. Dispute Tribunal Registry			
New York	Principal Registrar	D-1	Posted
	Registrar	P-5	Posted
	Legal Officer	P-2	To be filled through competitive exam
	Legal Assistant	G-6	Posted
	Staff Assistant	G-5	Posted
Geneva	Registrar	P-5	Posted
	Legal Officer	P-3	Posted
	Legal Assistant	G-6	To be advertised locally by the United Nations Office at Geneva
	Staff Assistant	G-5	To be advertised locally by the United Nations Office at Geneva
Nairobi	Registrar	P-5	Posted
	Legal Officer	P-3	Posted
	Legal Assistant	G-6	To be advertised locally by the United Nations Office at Nairobi
	Staff Assistant	G-5	To be advertised locally by the United Nations Office at Nairobi
C. Appeals Tribunal Registry			
New York	Registrar	P-5	Posted
	Legal Officer	P-3	Posted
	Legal Assistant	G-6	Posted
	Staff Assistant	G-5	Posted

	Post	*Level*	*Remarks*
D. Office of Staff Legal Assistance			
New York	Chief	P-5	Posted
	Legal Officer	P-3	Posted
	Associate Legal Officer	P-2	To be filled through competitive exam
	Legal Assistant	G-6	Posted
	Staff Assistant	G-5	Posted
	Staff Assistant	G-5	Posted
Geneva	Legal Officer	P-3	Posted
Nairobi	Legal Officer	P-3	Posted
Beirut	Legal Officer	P-3	Posted
Addis Ababa	Legal Officer	P-3	Posted

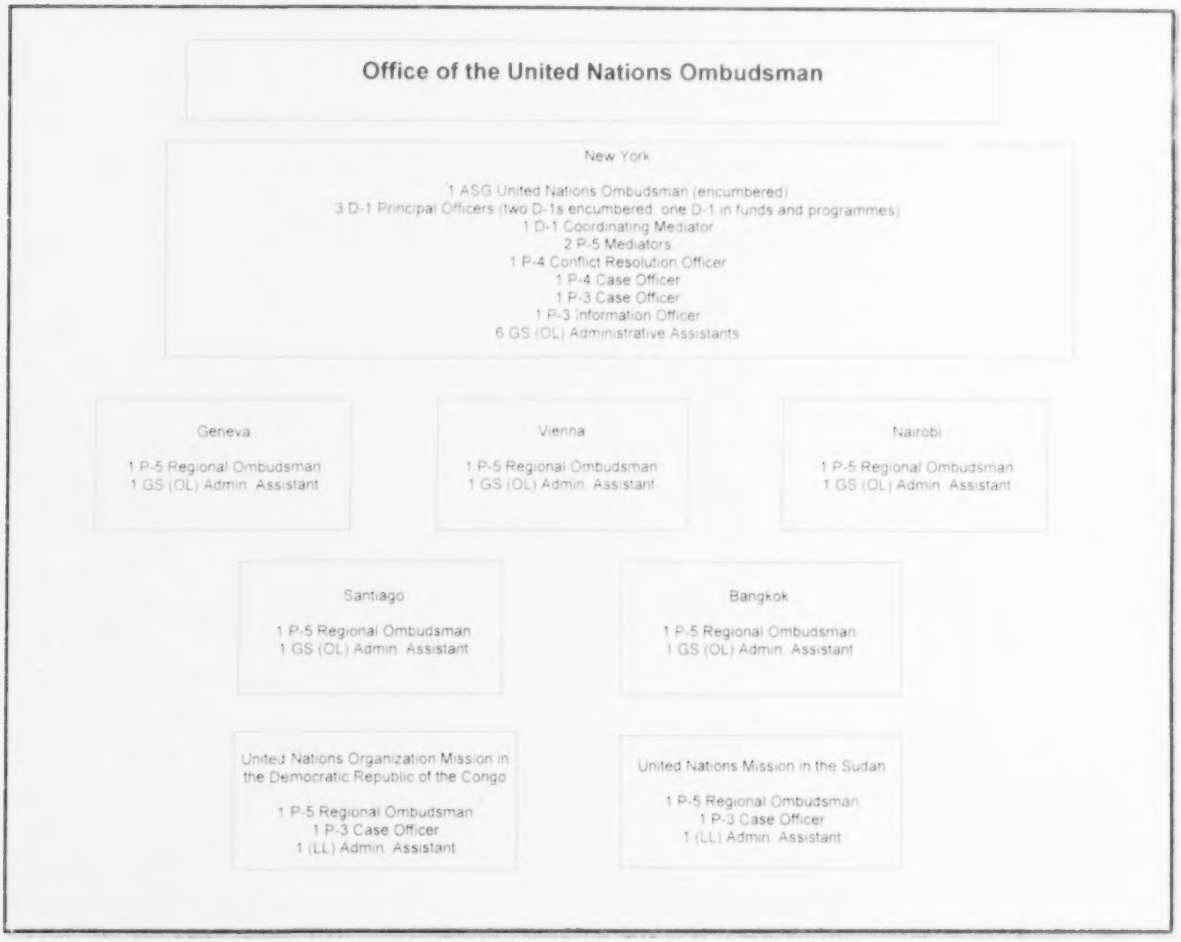
Annex II

Recruitment status of vacant posts in the Office of the Ombudsman

Level	*Functional Title*	*Status*
D-1	Ombudsperson (United Nations Development Programme/United Nations Population Fund/United Nations Children's Fund/United Nations Office for Project Services)	Selection process under way
D-1	Coordinating Mediator, Mediation Division	Advertised on Galaxy; deadline for applications 31 December 2008
P-5	Mediator, Mediation Division	Advertised on Galaxy; deadline for applications 30 December 2008
GS	Administrative Assistant, Mediation Division	Currently in the process of being classified
5 P-5	Regional Ombudsman (Geneva, Vienna, Nairobi, Santiago, Bangkok)	Posts advertised; selection process ongoing
5 G-6	Administrative Assistant (Geneva, Vienna, Nairobi, Santiago, Bangkok)	Posts classified at the G-6 level; staff to be locally recruited upon deployment of the regional Ombudsmen
2 P-5	Regional Ombudsman (peacekeeping missions in the Democratic Republic of the Congo and the Sudan)	Posts advertised; selection process ongoing; funded under the Support Account
2 P-3	Case Officer (peacekeeping missions in the Democratic Republic of the Congo and the Sudan)	Posts advertised; selection process ongoing; funded under the Support Account
2 G-6	Administrative Assistant (peacekeeping missions in the Democratic Republic of the Congo and the Sudan)	Posts classified at the G-6 level; staff to be locally recruited upon deployment of the regional Ombudsmen

Annex III

Organizational structure of the Office of the Ombudsman


Office of the United Nations Ombudsman
New York
1 ASG United Nations Ombudsman (encumbered)
3 D-1 Principal Officers (two D-1s encumbered, one D-1 in funds and programmes)
1 D-1 Coordinating Mediator
2 P-5 Mediators
1 P-4 Conflict Resolution Officer
1 P-4 Case Officer
1 P-3 Case Officer
1 P-3 Information Officer
6 GS (OL) Administrative Assistants
Geneva
1 P-5 Regional Ombudsman
1 GS (OL) Admin. Assistant
Vienna
1 P-5 Regional Ombudsman
1 GS (OL) Admin. Assistant
Nairobi
1 P-5 Regional Ombudsman
1 GS (OL) Admin. Assistant
Santiago
1 P-5 Regional Ombudsman
1 GS (OL) Admin. Assistant
Bangkok
1 P-5 Regional Ombudsman
1 GS (OL) Admin. Assistant
United Nations Organization Mission in the Democratic Republic of the Congo
1 P-5 Regional Ombudsman
1 P-3 Case Officer
1 (LL) Admin. Assistant
United Nations Mission in the Sudan
1 P-5 Regional Ombudsman
1 P-3 Case Officer
1 (LL) Admin. Assistant

Notes:

- Includes posts for the United Nations Office of the Ombudsman and the Joint Ombudsmen of the funds and programmes (United Nations Development Programme/United Nations Population Fund/United Nations Children's Fund/United Nations Office for Project Services) as at 1 January 2008.
- One P-4 Case Officer and one General Service position are funded under the support account until 31 December 2008.
- The Office of the joint Ombudsman for the funds and programmes is located in New York. It comprises two D-1 Principal Officers, one P-3 Case Officer and two General Service (Other level) Administrative Assistants.

Abbreviations: ASG, Assistant Secretary-General; GS (OL), General Service (Other level); LL, Local level.

United Nations A/63/546

General Assembly

Distr.: General
13 November 2008

Original: English

Sixty-third session
Agenda item 139
Financing of the United Nations Mission in Ethiopia and Eritrea

Revised budget for the United Nations Mission in Ethiopia and Eritrea for the period from 1 July 2008 to 30 June 2009

Report of the Secretary-General

Contents

		Page
I.	Mandate and planned results	4
II.	Financial resources	15
III.	Analysis of variances	19
IV.	Actions to be taken by the General Assembly	23
V.	Summary of follow-up action taken to implement the decisions and requests of the General Assembly in its resolution 61/276 and requests and recommendations of the Advisory Committee on Administrative and Budgetary Questions endorsed by the Assembly, and of the United Nations Board of Auditors	24
Annex		
	Organization charts	30

08-60151 (E) 261108

Summary

By its resolution 1827 (2008), the Security Council decided to terminate the mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE) effective on 31 July 2008.

The initial budget for UNMEE for the period from 1 July 2008 to 30 June 2009 was contained in the report of the Secretary-General on the financing of the Mission dated 22 April 2008 (A/62/811) and amounted to $100,367,400 gross ($98,027,600 net).

The General Assembly, in its resolution 62/259, appropriated for the maintenance of UNMEE for the 2008/09 financial period the amount of $100,367,400 gross ($98,027,600 net) and decided to apportion among Member States the amount of $50,183,700 gross ($49,013,800 net) for the period from 1 July to 31 December 2008, subject to the extension of the Mission's mandate by the Security Council. The Assembly also endorsed the recommendation of the Advisory Committee on Administrative and Budgetary Questions contained in its report on the financing of UNMEE dated 4 June 2008 (A/62/781/Add.17 and Corr.1) that the Secretary-General be requested to submit a report to the General Assembly no later than 30 November 2008, on progress in the implementation of the budget, in order to provide for a revised appropriation and a further assessment, if required.

In view of the termination of the Mission's mandate on 31 July 2008, the present report contains the revised budget for UNMEE for the financial period from 1 July 2008 to 30 June 2009, which amounts to $37,016,400 gross ($35,905,000 net).

The budget provides for the phased repatriation of 83 military observers, 242 military contingent personnel, 143 international staff (including 1 temporary Field Service position), 193 national staff and 60 United Nations Volunteers, as well as for the administrative liquidation of the Mission during the six-month period from 1 August 2008 to 31 January 2009.

In view of the cessation of the Mission's mandated substantive and military activities on 31 July 2008, the total resource requirements for UNMEE for the financial period from 1 July 2008 to 30 June 2009 have been linked to the Mission's objective to accomplish effective and efficient administrative liquidation of the Mission by 31 January 2009.

The explanations of variances in resource levels, both human and financial resources, have been linked, where applicable, to specific outputs planned by the Mission as indicated in the support component frameworks.

Financial resources

(Thousands of United States dollars. Budget year is from 1 July to 30 June.)

Category	*Expenditures (2007/08)*	*Apportionment (2008/09)*	*Revised cost estimates (2008/09)*	*Variance*	
				Amount	*Percentage*
Military and police personnel	46 555.8	41 475.8	5 543.1	(35 932.7)	(86.6)
Civilian personnel	24 557.2	20 120.0	10 171.5	(9 948.5)	(49.4)
Operational costs	34 972.2	38 771.6	21 301.8	(17 469.8)	(45.1)
Gross requirements	**106 085.2**	**100 367.4**	**37 016.4**	**(63 351.0)**	**(63.1)**
Staff assessment income	2 839.2	2 339.8	1 111.4	(1 228.4)	(52.5)
Net requirements	**103 246.0**	**98 027.6**	**35 905.0**	**(62 122.6)**	**(63.4)**
Voluntary contributions in kind (budgeted)	—	—	—	—	—
Total requirements	**106 085.2**	**100 367.4**	**37 016.4**	**(63 351.0)**	**(63.1)**

Human resources

		Actual (July-October 2008) and planned (November 2008-January 2009)		
	Approved[a]	*1 July 2008*	*31 October 2008*	*1-31 January 2009*
Military observers	230	83	—	—
Military contingents	1 470	242	—	—
International staff	176	142	108	92
National staff[b]	219	193	130	89
United Nations Volunteers	68	60	38	24
Temporary positions[c]				
International staff	1	1	—	—
National staff	—	—	—	—

[a] Represents the highest level of authorized strength.
[b] Includes National Officers and national General Service staff.
[c] Funded under general temporary assistance.

The actions to be taken by the General Assembly are set out in section IV of the present report.

I. Mandate and planned results

A. Overall

1. The mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE) was established by the Security Council in its resolutions 1312 (2000) and 1320 (2000). In its resolution 1798 (2008), the Council extended the mandate of UNMEE for a period of six months, until 31 July 2008. By its subsequent resolution 1827 (2008), the Council decided to terminate the mandate of the Mission effective 31 July 2008.

2. The initial budget for UNMEE for the period from 1 July 2008 to 30 June 2009 was contained in the report of the Secretary-General on the financing of the Mission dated 22 April 2008 (A/62/811) and amounted to $100,367,400 gross ($98,027,600 net).

3. On the basis of the recommendation of the Advisory Committee on Administrative and Budgetary Questions contained in its report on the financing of UNMEE dated 4 June 2008 (A/62/781/Add.17 and Corr.1), the General Assembly, in its resolution 62/259, appropriated for the maintenance of UNMEE for the 2008/09 financial period the amount of $100,367,400 gross ($98,027,600 net) and decided to apportion among Member States the amount of $50,183,700 gross ($49,013,800 net) for the period from 1 July to 31 December 2008, subject to the extension of the Mission's mandate by the Security Council. Pursuant to paragraph 15 of the resolution, an amount of $8,750,833 gross ($8,519,526 net) was assessed on Member States for the maintenance of the Mission for the period from 1 to 31 July 2008.

4. In its resolution 62/259, the General Assembly also endorsed the recommendation of the Advisory Committee that the Secretary-General be requested to submit a report to the General Assembly no later than 30 November 2008 on progress in the implementation of the budget, in order to provide for a revised appropriation and a further assessment, if required.

5. In view of the termination by the Security Council of the Mission's mandate on 31 July 2008, the present report contains the revised budget for UNMEE for the financial period from 1 July 2008 to 30 June 2009, which amounts to $37,016,400 gross ($35,905,000 net).

6. The revised budget takes into account the temporary relocation and subsequent repatriation to their home countries of the Mission's military contingent personnel that commenced during the 2007/08 financial period owing to restrictions imposed on UNMEE by the Eritrean authorities. Pursuant to an exchange of letters between the Secretary-General and the President of the Security Council (S/2008/368 dated 5 June 2008 and S/2008/427 dated 30 June 2008, respectively), the temporarily relocated military contingent personnel are considered as repatriated effective 5 June 2008. The revised budget also reflects the actual incumbency of the approved international and national staff posts as at 30 June 2008.

7. Accordingly, the revised budget provides for the phased repatriation of military personnel present in the Mission area as at 1 July 2008 (83 military observers and 242 military contingent personnel), the planned reduction of 143 international staff (including 1 temporary Field Service position) and 60 United

Nations Volunteers and the separation of 193 national staff encumbering the approved posts as at the same date, as well as for the administrative liquidation of the Mission during the six-month period from 1 August 2008 to 31 January 2009.

8. In view of the cessation of the Mission's substantive and military activities on 31 July 2008, the total resource requirements for UNMEE for the financial period from 1 July 2008 to 30 June 2009 have been linked to the Mission's objective to accomplish effective and efficient administrative liquidation of the Mission by 31 January 2009. The explanations of variances in resource levels, both human and financial resources, have been linked, where applicable, to specific outputs planned by the Mission as indicated in the support component frameworks.

B. Planning assumptions and mission support initiatives

9. Owing to the termination of the UNMEE mandate effective 31 July 2008, a range of pre-liquidation activities remained outstanding as at 31 July 2008, as follows: (a) the closing of substantive offices and repatriation of substantive staff; (b) the repatriation of military personnel and contingent-owned equipment still deployed in the Mission area; (c) the finalization in consultation with United Nations Headquarters of the assets disposal plan, including destination of non-expendable and expendable assets to be transferred to other peacekeeping operations; (d) the conclusion of agreements with the two host countries regarding the disposal of the Mission's assets, including their export from the two countries, donation to host Governments and the sale of assets in each country; and (e) the development of a plan for the placement of substantive and support staff in other peacekeeping missions.

10. The Mission's administrative liquidation planning assumptions are predicated on the cooperation of the host Governments in the expeditious completion of the liquidation activities while taking into account that UNMEE continues to operate under restrictions imposed by the Eritrean authorities, including the restrictions on the freedom of movement of UNMEE personnel, the ban on staff members from certain nationalities and the ban on United Nations helicopter flights in Eritrean airspace, the ban on United Nations flights between Addis Ababa and Asmara, as well as restrictions on the supply of diesel fuel to the Mission in Eritrea. The prompt issuance of the entry visas by the Eritrean authorities for UNMEE and other United Nations staff, customs clearances and the authorization of United Nations flights, as well as facilitating UNMEE access to all sites in Eritrea from which United Nations-owned equipment will need to be recovered, remained an impediment to the administrative liquidation process.

11. With the cessation of mandated substantive and military operations on 31 July 2008, the Mission initiated repatriation of the remaining military observers and the rear party of military contingent personnel required to oversee the repatriation of contingent-owned equipment (completed by 31 October 2008), as well as the administrative closing of substantive offices which was also completed by 31 October 2008, with the commensurate reduction of substantive staff present in the Mission area as at 1 July 2008. At the same time, in order to address and resolve difficulties in the liquidation activities requiring interaction with the senior officials of both countries, a small substantive team led by the Special Representative of the Secretary-General (until 30 September 2008) and the Deputy Special Representative

thereafter needs to be maintained until the planned completion of the Mission's administrative liquidation on 31 January 2009 (Head of Office (D-2), a Political Affairs Officer (P-4), 1 General Service staff and 2 national General Service staff).

12. As at 31 October 2008, agreement had been reached with the Government of Ethiopia regarding arrangements for the donation of United Nations assets, subject to the approval by the General Assembly, and the sale in Ethiopia of assets not suitable for transfer to other peacekeeping operations. Discussions as to the possible donation of assets to the Government of Eritrea, also subject to the approval by the General Assembly, were ongoing. The Eritrean authorities have indicated that no local sales of United Nations assets will be permitted in Eritrea. As at the same date, the plan for the disposal of the Mission's assets through their transfer to other peacekeeping operations and to the United Nations Logistics Base at Brindisi, Italy, for future use has been finalized.

13. During the period from 1 to 31 July 2008 and the commencement of administrative liquidation activities from 1 August 2008, the Mission was headed until 30 September 2008 by the Special Representative of the Secretary-General at the Under-Secretary-General level. Thereafter, administrative liquidation activities have been led by the Deputy Special Representative of the Secretary-General at the Assistant Secretary-General level, assisted by the Head of Office at the D-2 level, with their respective offices located in Asmara and Addis Ababa. The Chief of Mission Support at the D-1 level will head the Division of Mission Support until the completion of administrative liquidation activities on 31 January 2009.

Executive direction and management

Table 1
Human resources: executive direction and management

	International staff										
ilian staff	*USG-ASG*	*D-2-D-1*	*P-5-P-4*	*P-3-P-2*	*Field Service*	*General Service*	*Security Service*	***Subtotal***	*National staff*	*United Nations Volunteers*	***Total***
Office of the Special Representative of the Secretary-General											
Approved posts 2008/09	1	1	3	—	2	1	—	**8**	1	—	**9**
Proposed deplo ment											
As at 1 July 2008	1	—	2	—	1	1	—	**5**	1	—	**6**
As at 31 October 2008	—	—	—	—	—	—	—	**—**	1	—	**1**
1-31 January 2009	—	—	—	—	—	—	—	**—**	—	—	**—**

Substantive staff

Table 2
Human resources: substantive staff

Civilian staff	*International staff*								*National staff*	*United Nations Volunteers*	*Total*
	USG-ASG	*D-2-D-1*	*P-5-P-4*	*P-3-P-2*	*Field Service*	*General Service*	*Security Service*	***Subtotal***			
Substantive offices											
Approved posts 2008/09	1	2	12	10	3	4	—	**32**	12	7	**51**
Proposed deployment											
As at 1 July 2008	1	1	8	4	3	4	—	**21**	10	7	**38**
As at 31 October 2008	1	1	5	2	—	1	—	**10**	6	—	**16**
1-31 January 2009	1	1	1	—	—	1	—	**4**	2	—	**6**

14. With the completion of the phased repatriation of substantive staff by 31 October 2008, the Mission's proposed staffing requirements indicated in table 2 above comprise a small number of substantive staff required to support the administrative liquidation process until 31 January 2009 with a view to vigorously pursuing with the respective authorities, at the appropriate diplomatic levels, the necessary arrangements that would facilitate the completion of the liquidation process by 31 January 2009.

Military personnel

Table 3
Human resources: military personnel

Category		*Total*
I.	*Military observers*	
	Approved 2008/09	**230**
	Proposed deployment	
	As at 1 July 2008	**83**
	As at 31 October 2008	—
	1-31 January 2009	—
II.	*Military contingents*	
	Approved 2008/09	**1 470**
	Proposed deployment	
	As at 1 July 2008	**242**
	As at 31 October 2008	—
	1-31 January 2009	—

III. Civilian staff	International staff								National staff	United Nations Volunteers	Total
	USG-ASG	D-2-D-1	P-5-P-4	P-3-P-2	Field Service	General Service	Security Service	Subtotal			
Office of the Force Commander											
Approved posts 2008/09	—	2	—	—	—	—	—	2	—	—	2
Planned deployment											
As at 1 July 2008	—	1	—	—	—	—	—	1	—	—	1
As at 31 October 2008	—	—	—	—	—	—	—	—	—	—	—
1-31 January 2009	—	—	—	—	—	—	—	—	—	—	—

15. With the cessation of mandated military operations on 31 July 2008, the Mission initiated repatriation of the remaining military observers and the rear party of military contingent personnel required to oversee the repatriation of contingent-owned equipment, which was completed by 31 October 2008.

Support component

16. As detailed in the support component frameworks, during the budget period the Mission will provide logistical, administrative and security services to accomplish the objective of effective and efficient completion of the administrative liquidation of the Mission by 31 January 2009. The range of support will comprise all support services, including personnel administration, maintenance of health-care arrangements, maintenance of office and accommodation facilities and their handover, with due regard to environmental concerns, to appropriate authorities, including private owners, information technology and communications, air operations, air and surface transport operations, supply and re-supply operations, as well as provision of security services mission-wide. The outputs presented in the support component frameworks indicate, where applicable, equipment in operation as at 1 July 2008. By 31 January 2009, the Mission will have completed the disposal of its assets in accordance with the Financial Regulations and Rules of the United Nations, subject to the cooperation of the authorities of the two host Governments.

Expected accomplishments	*Indicators of achievement*
1.1 Effective and efficient completion of the administrative liquidation of the Mission	1.1.1 Issuance of handover/takeover certificates by property owners, indemnifying UNMEE from environmental and other liabilities in all 31 locations

Outputs

Service improvements

- Implementation of environmental protection measures at all locations vacated by the Mission, including collection and disposal of hazardous and non-hazardous waste generated by the Mission in an environmentally friendly manner and the restoration of all sites to their original condition

Military and civilian personnel

- Repatriation of 242 military contingent personnel and 83 military observers
- Repatriation of contingent-owned equipment remaining in the Mission area as at 1 July 2008
- Administration of an average of 112 international staff, 136 national staff and 41 United Nations Volunteers
- Repatriation of 143 international staff and 60 United Nations Volunteers, and separation of 193 national staff

Facilities and infrastructure

- Maintenance of premises in 21 locations throughout the Mission area
- Restoration to the original condition and handover of 31 premises and sites
- Operation, maintenance and disposal of 13 United Nations-owned generators at 9 facilities

Ground transportation

- Operation, maintenance and disposal of 274 vehicles, including 6 armoured vehicles, and vehicle attachments in 4 locations

Air transportation

- Operation and maintenance of 2 fixed-wing and 3 rotary-wing aircraft

Communications

- Operation, maintenance and disposal of a satellite network consisting of 1 hub station and 16 very small aperture terminals (VSAT)
- Operation, maintenance and disposal of 12 telephone exchanges and 7 microwave links
- Operation, maintenance and disposal of a radio network consisting of 206 very high frequency (VHF) mobile (vehicle mount) radios, 14 VHF base station radios, 19 high frequency (HF) base stations radios, 224 hand-held VHF mobile radios, 12 VHF repeaters and 10 narrow-band digital radio systems to provide voice, fax, video and data communications at 21 locations

Information technology

- Support, maintenance and disposal of 47 servers, 342 desktop computers, 109 laptop computers, 126 printers and 50 digital senders at 21 locations
- Maintenance and operation of a disaster recovery and business continuity system, including 3 servers and 4 one-terabyte external drives at 2 locations until completion of the administrative liquidation of the Mission
- Support and maintenance of local area networks (LAN) and wide area networks (WAN) for 488 users at 21 locations
- Operation and maintenance of the wireless network for 148 users

Medical

- Operation and maintenance of one civilian level-I clinic for Mission personnel, and maintenance of land and air evacuation arrangements

Security

- Provision of security 24 hours a day, seven days a week, in the Mission area and close protection for senior Mission staff and visiting high-level officials
- Investigation of incidents/accidents involving United Nations personnel and property
- Mission-wide site security assessment, including residential surveys at 40 residences

Liquidation

- Disposition of approximately 16,400 non-expendable asset items with an inventory value of approximately $56.6 million and approximately 2,258,000 expendable asset items with an inventory value of approximately $13.1 million through transfer to the United Nations Logistics Base in Brindisi, Italy, and to other peacekeeping missions, donation to the host Governments, commercial disposal through sales and destruction of unusable items
- Reconciliation and closing of 4 bank accounts
- Settlement of vendor and supplier invoices and closure of 118 contracts

External factors

Host Governments will cooperate in the liquidation process, including through the provision of safe access to remote sites, export of United Nations-owned equipment and the granting of appropriate permissions for the sale or disposal of assets locally when required

Table 4
Human resources: support component

Civilian staff	International staff								National staff	United Nations Volunteers	Total
	USG-ASG	D-2-D-1	P-5-P-4	P-3 P-2	Field Service	General Service	Security Service	Subtotal			
Conduct and Discipline Unit											
Approved posts 2008/09	—	—	1	—	—	—	—	**1**	1	—	**2**
Approved temporary positions 2008/09[a]	—	—	—	—	1	—	—	**1**	—	—	**1**
Approved posts and positions 2008/09	—	—	1	—	1	—	—	**2**	1	—	**3**
Proposed deployment											
As at 1 July 2008	—	—	1	—	1	—	—	**2**	—	—	**2**
As at 31 October 2008	—	—	1	—	—	—	—	**1**	—	—	**1**
1-31 January 2009	—	—	—	—	—	—	—	**—**	—	—	**—**
Security Section											
Approved posts 2008/09	—	—	1	2	15	1	—	**19**	4	—	**23**
Proposed deployment											
As at 1 July 2008	—	—	1	1	15	1	—	**18**	3	—	**21**
As at 31 October 2008	—	—	1	1	15	1	—	**18**	3	—	**21**
1-31 January 2009	—	—	1	1	15	1	—	**18**	3	—	**21**
Office of the Chief of Mission Support											
Approved posts 2008/09	—	1	2	1	7	2	—	**13**	49	9	**71**
Proposed deployment											
As at 1 July 2008	—	1	2	1	4	2	—	**10**	34	4	**48**
As at 31 October 2008	—	1	2	1	4	2	—	**10**	9	4	**23**
1-31 January 2009	—	1	2	1	4	1	—	**9**	4	3	**16**
Administrative Services											
Approved posts 2008/09	—	—	5	5	19	3	—	**32**	37	6	**75**
Proposed deployment											
As at 1 July 2008	—	—	4	5	18	3	—	**30**	30	7	**67**
As at 31 October 2008	—	—	3	4	16	1	—	**24**	26	5	**55**
1-31 January 2009	—	—	3	3	15	1	—	**22**	24	4	**50**
Integrated Support Services											
Approved posts 2008/09	—	—	9	9	43	8	—	**69**	115	46	**230**
Proposed deployment											
As at 1 July 2008	—	—	6	7	38	5	—	**56**	115	42	**213**
As at 31 October 2008	—	—	5	5	31	4	—	**45**	85	29	**159**
1-31 January 2009	—	—	4	3	30	2	—	**39**	56	17	**112**

Civilian staff	International staff								National staff	United Nations Volunteers	Total
	USG-ASG	D-2-D-1	P-5-P-4	P-3 P-2	Field Service	General Service	Security Service	Subtotal			
Subtotal											
Approved posts 2008/09	—	1	18	17	84	14	—	**134**	205	61	**401**
Approved temporary positions 2008/09[a]	—	—	—	—	1	—	—	**1**	—	—	**1**
Total approved posts and positions 2008/09	—	**1**	**18**	**17**	**85**	**14**	—	**135**	**206**	**61**	**402**
Proposed deployment											
As at 1 July 2008	—	1	14	14	76	11	—	**116**	182	53	**351**
As at 31 October 2008	—	1	12	11	66	8	—	**98**	123	38	**259**
1-31 January 2009	—	1	10	8	64	5	—	**88**	87	24	**199**

[a] Funded under general temporary assistance.

17. The proposed staffing requirements are predicated on the cooperation of the two host Governments in the administrative liquidation process and reflect the need to retain administrative, logistical and technical international and national staff with a view to completing the administrative liquidation of the Mission by 31 January 2009. The staffing requirements also take into account the need to accomplish the envisioned liquidation tasks in two countries simultaneously, in particular in Eritrea, where most of the Mission's assets are located.

18. The staffing proposals reflect the projected workload attributable to the recall, inspection and servicing of assets, including vehicles and information technology and communications equipment, in preparation for their shipment, write-off and disposal; the management of personnel during the drawdown period, including the separation or reassignment of international staff, career management counselling, separation of national staff and capacity-building training programmes for national staff; the return to the original condition and handover of premises and facilities to appropriate authorities and private owners; and the dismantling of military camps.

19. As shown in table 4 above, the proposed support component staffing establishment reflects the phased drawdown of support staff commensurate with the planned progress in the administrative liquidation activities, which are expected to be completed by 31 January 2009.

20. Upon the repatriation of all military and most substantive staff by 31 October 2008, the Mission will focus on the dismantling and restoration of the remaining military camps, premises and facilities, including Mission headquarters in Eritrea and Ethiopia, prior to their handover to appropriate authorities and owners; the disposal of all Mission assets through their shipment to other peacekeeping operations or the United Nations Logistics Base at Brindisi, Italy, for temporary storage, and in situ disposal of the remaining items; repatriation or reassignment to other peacekeeping missions of international staff and separation of national personnel; and the archiving of the Mission's official records.

21. The Mission's administrative liquidation team would comprise core administrative, technical and logistical support personnel responsible for the

administrative closing of the Mission and the completion of the liquidation tasks, including the closing of the Mission's logistics bases, the processing of vendor invoices and the closing of remaining contracts, the reconciliation and closing of bank accounts, the closing of the Mission's field accounts, and the processing of final staff payments and separations.

Conduct and Discipline Unit

22. In view of the completion of the repatriation of the Mission's military personnel and most of the substantive staff by 31 October 2008, the Senior Conduct and Discipline Officer (P-5) would remain in the Mission until 30 November 2008 in order to complete the closing of the Conduct and Discipline Unit office.

Security Section

23. During the period from 1 July 2008 to 31 January 2009, the staffing establishment of the Security Section would comprise 21 posts (18 international posts and 3 national General Service staff). The staffing requirements for this period take into account the continuing need to provide security for the Mission's civilian personnel, to safeguard its property and to ensure adequate security arrangements until the completion of administrative liquidation activities.

Office of the Chief of Mission Support

24. The Office of the Chief of Mission Support includes the immediate Office of the Chief of Mission Support, the Budget and Cost Control Unit, the Training Cell, the United Nations Volunteers Support Unit and the Administrative Liaison Office. Reporting directly to the Chief of Mission Support are the Sector Administrative Offices.

25. During the administrative liquidation of the Mission, until 31 January 2009, the staffing establishment of the Office would comprise 13 posts (9 international and 4 national staff) and 3 United Nations Volunteer positions, for a total of 16 posts and positions.

26. The staffing establishment of the Office of the Chief of Mission Support takes into account the workload related to the administrative liquidation of the Mission throughout the Mission area, continuing delivery of training programmes for national staff and administrative support to the United Nations Volunteers establishment. The staff of the Budget and Cost Control Unit would need to continue to monitor expenditures during the liquidation period in coordination with Mission support cost centres managers, as well as to prepare the performance report for the liquidation period.

Administrative Services

27. The Administrative Services comprise the Finance, Human Resources, Procurement and General Services Sections and Medical Services Unit.

28. The staffing requirements for the period from 1 to 31 July 2008 and the administrative liquidation period take into account the ongoing support to the mission's substantive activities and the workload related to the commencement in August 2008 of the drawdown of the Mission's substantive and administrative staff, in particular, additional tasks related to the separation or reassignment of

international staff and separation of national staff and the processing of final payments to staff and the increased volume of staff travel on separation or reassignment during the period.

29. From 31 October 2008 to 31 January 2009, the staffing establishment of Administrative Services would comprise 46 posts (22 international and 24 national staff) and 4 United Nations Volunteer positions, a total of 50 posts and positions. The staffing requirements for this period take into account the peak workload of administrative staff related to the separation or reassignment of international staff and separation of national staff, the conduct of exit interviews and the review and transfer of personnel files; the termination of all contracts and leases and the settlement of outstanding disputes with property owners and vendors; the processing of final payments to staff and vendors, the review of accounts payable and receivable, the liquidation of obligation balances and the reconciliation and closing of field accounts and bank accounts; the processing of outstanding claims and property survey cases, write-off of assets.

Integrated Support Services

30. The Integrated Support Services comprise the Office of the Chief, the Joint Logistics Operations Centre, the Contracts Management and the Contingent-owned Equipment Verification Unit, as well as the Building Management and Engineering, Supply, Transport, Movement Control, Communication Information Technology and Air Operations Sections.

31. As at 31 October 2008, the staffing establishment of the Integrated Support Services would comprise 130 posts (45 international staff and 85 national staff) and 29 United Nations Volunteer positions, a total of 159 posts and positions. The staffing requirements for this period take into account the additional tasks related to the dismantling and restoration of the military camps, premises and facilities prior to their handover to owners, the disposal of all mission assets through their shipment to the United Nations Logistics Base at Brindisi, Italy, for temporary storage, and the in situ disposal of the remaining items, as well as the resulting increased requirements for logistical support planning and coordination activities.

32. From 31 October 2008 to 31 January 2009, the staffing establishment of the Integrated Support Services would comprise 95 posts (39 international staff and 56 national staff) and 17 United Nations Volunteer positions, a total of 112 posts and positions. The staffing requirements for this period take into account the peak workload of logistical support and technical staff related to the coordination and implementation of logistical support plans, the dismantling of the remaining military camps vacated by the repatriated military contingents personnel, environmental clean-up, the dismantling of the communications and information technology infrastructure, the collection, transportation and servicing of equipment, the recall, inspection and servicing of vehicles, the packing and shipping of supply stocks and non-expendable assets and equipment and the in situ disposal of assets not suitable for transfer to other peacekeeping missions.

II. Financial resources

A. Overall

(Thousands of United States dollars. Budget year is from 1 July to 30 June.)

Category	Expenditures (2007/08)	Appropriation (2008/09)	Revised cost estimates (2008/09)	Variance	
				Amount	Percentage
	(1)	(2)	(3)	(4)=(3)-(2)	(5)=(4)÷(2)
Military and police personnel					
Military observers	6 665.6	7 216.2	618.4	(6 597.8)	(91.4)
Military contingents	39 890.2	34 259.6	4 924.7	(29 334.9)	(85.6)
United Nations police	—	—	—	—	—
Formed police units	—	—	—	—	—
Subtotal	**46 555.8**	**41 475.8**	**5 543.1**	**(35 932.7)**	**(86.6)**
Civilian personnel					
International staff	20 778.0	16 295.0	8 205.2	(8 089.8)	(49.6)
National staff	1 412.7	1 636.3	807.2	(829.1)	(50.7)
United Nations Volunteers	2 356.9	2 069.2	1 148.8	(920.4)	(44.5)
General temporary assistance	9.6	119.5	10.3	(109.2)	(91.4)
Subtotal	**24 557.2**	**20 120.0**	**10 171.5**	**(9 948.5)**	**(49.4)**
Operational costs					
Government-provided personnel	—	—	—	—	—
Civilian electoral observers	—	—	—	—	—
Consultants	—	—	—	—	—
Official travel	537.9	676.7	227.6	(449.1)	(66.4)
Facilities and infrastructure	8 173.0	11 892.3	3 707.8	(8 184.5)	(68.8)
Ground transportation	1 999.6	2 883.9	651.3	(2 232.6)	(77.4)
Air transportation	9 219.0	9 070.5	3 969.6	(5 100.9)	(56.2)
Naval transportation	—	—	—	—	—
Communications	3 064.4	3 058.1	767.0	(2 291.1)	(74.9)
Information technology	1 528.4	953.5	268.7	(684.8)	(71.8)
Medical	827.9	1 044.4	91.2	(953.2)	(91.3)
Special equipment	469.8	501.6	26.0	(475.6)	(94.8)
Other supplies, services and equipment	9 152.2	8 690.6	11 592.6	2 902.0	33.4
Quick-impact projects	—	—	—	—	—
Subtotal	**34 972.2**	**38 771.6**	**21 301.8**	**(17 469.8)**	**(45.1)**
Gross requirements	**106 085.2**	**100 367.4**	**37 016.4**	**(63 351.0)**	**(63.1)**

Category	Expenditures (2007/08) (1)	Appropriation (2008/09) (2)	Revised cost estimates (2008/09) (3)	Variance Amount (4)=(3)-(2)	Variance Percentage (5)=(4)÷(2)
Staff assessment income	2 839.2	2 339.8	1 111.4	(1 228.4)	(52.5)
Net requirements	**103 246.0**	**98 027.6**	**35 905.0**	**(62 122.6)**	**(63.4)**
Voluntary contributions in kind (budgeted)	—	—	—	—	—
Total requirements	**106 085.2**	**100 367.4**	**37 016.4**	**(63 351.0)**	**(63.1)**

B. Vacancy factors

33. The cost estimates for the period from 1 July 2008 to 30 June 2009 take into account the following vacancy factors:

(Percentage)

Category	Actual 2007/08	Budgeted 2008/09	Projected 2008/09
Military and police personnel			
Military observers	24.5	15.0	—
Military contingents	26.6	20.0	—
Civilian personnel			
International staff	17.4	35.0	10.0
National staff	8.8	10.0	—
United Nations Volunteers	9.1	10.0	5.0
Temporary positions[a]	100.0	—	—

[a] Funded under general temporary assistance.

34. The projected vacancy rates for the budget period take into account the actual incumbency of the authorized international and national Mission posts and reflect the anticipated attrition rates during the administrative liquidation period.

C. Contingent-owned equipment: major equipment and self-sustainment

35. Requirements for the period from 1 July 2008 to 30 June 2009 are based on standard reimbursement rates for major equipment (wet lease) and self-sustainment in the total amount of $584,700 as follows:

(Thousands of United States dollars)

Category	*Estimated amount*
Major equipment	
Military contingents	370.1
Formed police units	—
Subtotal	**370.1**
Self-sustainment	
Facilities and infrastructure	113.6
Communications	55.4
Medical	19.6
Special equipment	26.0
Subtotal	**214.6**
Total	**584.7**

Mission factors	*Percentage*	*Effective date*	*Last review date*
A. Applicable to Mission area			
Extreme environmental condition factor	1.10	1 July 2004	1 July 2002
Intensified operational condition factor	3.80	1 July 2004	1 July 2002
Hostile action/forced abandonment factor	1.90	1 July 2004	1 July 2002
B. Applicable to home country			
Incremental transportation factor	0.25-3.50		

D. Training

36. The estimated resource requirements for training for the period from 1 July 2008 to 30 June 2009 are as follows:

(Thousands of United States dollars)

Category	*Estimated amount*
Consultants	
Training consultants	—
Official travel	
Official travel, training	11.1
Other supplies, services and equipment	
Training fees, supplies and services	19.6
Total	**30.7**

37. The number of participants in the training programmes planned for the period from 1 July 2008 to 30 June 2009, compared with previous periods, is as follows:

(Number of participants)

	International			*National staff*			*Military personnel*		
	Actual 2007/08	*Planned 2008/09*	*Proposed 2008/09*	*Actual 2007/08*	*Planned 2008/09*	*Proposed 2008/09*	*Actual 2007/08*	*Planned 2008/09*	*Proposed 2008/09*
Internal	259	299	5	398	414	557	234	105	—
External[a]	43	31	1	—	—	—	—	—	—
Total	**302**	**330**	**6**	**398**	**414**	**557**	**234**	**105**	**—**

[a] Includes the United Nations Logistics Base at Brindisi, Italy, and outside the Mission area.

38. The training activities are designed to enhance substantive and technical competencies for a total of 563 staff members. The primary focus of the training programme is to contribute to the capacity-building of national staff in order to facilitate their employment prospects upon completion of the Mission's administrative liquidation, as well as to provide continuing refresher training to international staff in technical areas to facilitate their reassignment to other peacekeeping missions. Provision has been made in the present budget to increase national staff training programmes in the preparation of personal history profiles, the development of interviewing skills and training in the establishment of small enterprises in order to enhance national staff employment opportunities after the completion of the Mission's administrative liquidation.

E. Mine-detection and mine-clearing services

39. The estimated resource requirements for mine-detection and mine-clearing services for the period from 1 July 2008 to 30 June 2009 are as follows:

(Thousands of United States dollars)

Category	*Estimated value*
Special equipment	
Mine-detection and mine-clearing equipment	—
Other supplies, services and equipment	
Mine-detection and mine-clearing services	1 488.6
Mine-detection and mine-clearing supplies	—
Total	**1 488.6**

40. The planned resources include requirements for the continuing humanitarian mine-clearing activities for the month of July 2008, as well as for the liquidation of the programme and the transfer of mine-clearing equipment out of the Mission area during the administrative liquidation period.

III. Analysis of variances[1]

Reference

The present section describes the single largest contributing factor of each resource variance according to specific standard options encompassed in the four standard categories listed below:

- **Mandate**: variances caused by changes in the scale or scope of the mandate, or changes in the expected accomplishments as driven by the mandate
- **External**: variances caused by parties or situations external to the United Nations
- **Cost parameters**: variances caused by United Nations regulations, rules and policies
- **Management**: variances caused by management actions to achieve planned results more effectively (e.g., by reprioritizing or adding certain outputs) or efficiently (e.g., by taking measures to reduce personnel or operational inputs while maintaining the same level of outputs) and/or from performance-related issues (e.g., by having underestimated the costs or quantities of inputs required to produce a certain level of outputs, or by delayed recruitment)

	Variance	
Military observers	($6,597.8)	(91.4%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

41. The variance under this heading is attributable to the repatriation of all military observers by 31 October 2008. The estimates take into account the repatriation of 83 military observers deployed in the Mission area as at 1 July 2008, as compared to provisions made in the initial budget for the authorized strength of 230 military observers for the 12-month period.

	Variance	
Military contingents	($29,334.9)	(85.6%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

42. The variance under this heading is attributable to the repatriation of the remaining military contingent personnel by 31 October 2008. The estimates take into account the repatriation of 242 contingent personnel deployed in the Mission

[1] Resource variance amounts are expressed in thousands of United States dollars. Analysis is provided for variances of at least plus or minus 5 per cent or $100,000.

area as at 1 July 2008, as compared to provisions made in the initial budget for the authorized strength of 1,470 contingent personnel for the 12-month period.

43. The reduced requirements are offset in part by increased requirements for the repatriation of contingent-owned equipment remaining in the Mission area as at 1 July 2008.

	Variance	
International staff	($8,089.8)	(49.6%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

44. The variance under this heading is attributable to reduced requirements for international staff costs (salaries, staff assessment, common staff costs, hazardous duty station allowance and mission subsistence allowance) owing to the proposed phased reduction of the Mission's international staffing establishment and subsequent administrative liquidation of the Mission. The estimates provide for the maintenance and phased repatriation of 142 international staff for the period from 1 July 2008 to 31 January 2009, as compared to provision made in the initial budget for 176 international staff, with the application of a 35 per cent delayed recruitment factor.

	Variance	
National staff	($829.1)	(50.7%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

45. The variance under this heading is attributable to reduced requirements for national staff costs (salaries, staff assessment, common staff costs and hazardous duty station allowance) owing to the phased reduction of the Mission's national staffing establishment and subsequent liquidation of the Mission. The estimates provide for the maintenance and phased separation of 193 national staff for the period from 1 July 2008 to 31 January 2009 as compared to provision made in the initial budget for 219 national staff, with the application of a 10 per cent delayed recruitment factor. The estimates are based on the established salary scales for national General Service staff (G-4, step 6) effective 1 March 2008 for national staff recruited in Eritrea and 1 January 2008 for staff recruited in Ethiopia.

	Variance	
United Nations Volunteers	($920.4)	(44.5%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

46. The variance under this heading is attributable to reduced requirements for United Nations Volunteers costs owing to the proposed reduction of the Mission's United Nations Volunteers establishment due to the termination of the Mission's mandate and its subsequent administrative liquidation. The estimates provide for the maintenance and phased repatriation of 60 United Nations Volunteers for the period from 1 July 2008 to 31 January 2009 as compared to the provision made in the

initial budget for 68 United Nations Volunteers, with the application of a 10 per cent delayed deployment factor.

	Variance	
General temporary assistance	($109.2)	(91.4%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

47. The variance under this heading reflects actual requirements for an Administrative Assistant of the Conduct and Discipline Unit in view of the repatriation of the incumbent by 31 July 2008.

	Variance	
Official travel	($449.1)	(66.4%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

48. The variance under this heading is attributable to decreased requirements for official travel owing to the termination of the Mission's mandate and the completion of substantive activities by 31 October 2008, as well as to the reduced scope of training programmes outside the Mission area.

	Variance	
Facilities and infrastructure	($8,184.5)	(68.8%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

49. The variance under this heading is mainly attributable to lower projected consumption of generator fuel, reduced requirements for the reimbursement of troop-contributing Governments for self-sustainment costs in view of the repatriation of all military contingent personnel by 31 October 2008, and lower requirements for commercially provided security services and for the rental of premises and their maintenance owing to the handover of premises to the appropriate authorities and private owners.

50. Provision is made for the maintenance of premises in 21 locations throughout the Mission, as well as the restoration, clean-up and handover of 31 premises and sites in the Mission area to appropriate authorities and private owners.

	Variance	
Ground transportation	($2,232.6)	(77.4%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

51. The variance under this heading is attributable to reduced requirements for diesel fuel for vehicles and spare parts, offset in part by increased requirements for the rental of heavy engineering equipment (2 bulldozers and 2 loaders) and 8 heavy trucks in connection with the dismantling of military camps and the restoration of campsites to their original condition, as well as the destruction of written-off assets.

52. Provision is made for the operation and maintenance of 274 vehicles, including 6 armoured vehicles and vehicle attachments in 4 locations.

	Variance	
Air transportation	($5,100.9)	(56.2%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

53. The variance under this heading is attributable primarily to reduced requirements for the rental and operation of 2 fixed-wing aircraft and 3 helicopters, resulting from lower flight hours for the period from 1 July 2008 to 31 January 2009 compared to provisions for the full 12-month period made in the initial 2008/09 budget.

	Variance	
Communications	($2,291.1)	(74.9%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

54. The variance under this heading is attributable to reduced requirements for the reimbursement of troop-contributing Governments for self-sustainment costs in view of the full repatriation of military contingent personnel by 31 October 2008, lower requirements for commercial communications and communications spare parts, as well as public information and communications support services owing to the termination of the Mission's mandate and its subsequent administrative liquidation.

55. Provision is made for the operation and maintenance of a satellite network consisting of: (a) 1 hub station and 16 VSATs; (b) 12 telephone exchanges and 7 microwave links; and (c) a radio network consisting of 206 VHF mobile (vehicle mount) radios, 14 VHF base station radios, 19 HF base station radios, 224 hand-held VHF mobile radios, 12 VHF repeaters and 10 narrow-band digital radio systems to provide voice, fax, video and data communications in 18 locations.

	Variance	
Information technology	($684.8)	(71.8%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

56. The variance under this heading is attributable to reduced requirements for information technology services, licences and fees, and spare parts owing to the termination of the Mission's mandate and the subsequent liquidation of the Mission.

57. Provision is made for: (a) the maintenance of 47 servers, 342 desktop computers, 109 laptop computers, 126 printers and 50 digital senders in 18 locations; (b) the maintenance and operation of a disaster recovery and business continuity system, including 3 servers and 4 one-terabyte external drives in 2 locations; and (c) support and maintenance of LAN and WAN for 488 users in 18 locations.

Medical	Variance	
	($953.2)	(91.3%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

58. The variance under this heading is attributable to reduced requirements for the reimbursement of troop-contributing Governments for self-sustainment costs in view of the full repatriation of military contingent personnel by 31 October 2008, combined with reduced requirements for medical services and supplies owing to the termination of the Mission's mandate and subsequent liquidation of the Mission.

Special equipment	Variance	
	($475.6)	(94.8%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

59. The variance under this heading is attributable to reduced requirements for the reimbursement of troop-contributing Governments for self-sustainment costs in view of the full repatriation of military contingent personnel by 31 October 2008.

Other supplies, services and equipment	Variance	
	($2,902.0)	(33.4%)

- **Mandate: termination of the Mission's mandate and its subsequent administrative liquidation**

60. The variance under this heading is attributable mainly to increased requirements for the transportation of the United Nations-owned equipment to the United Nations Logistics Base at Brindisi, Italy, for future use, taking into account equipment planned for transfer to other peacekeeping missions, which would bear the transportation costs, and the purchase of 110 sea containers for transporting equipment, offset by reduced requirements for mine detection and mine clearing services owing to the termination of the Mission's mandate and administrative liquidation of the Mission.

IV. Actions to be taken by the General Assembly

61. **The actions to be taken by the General Assembly in connection with the financing of the Mission are:**

(a) **To reduce the appropriation of $100,367,400 approved by the General Assembly under the terms of its resolution 62/259 for the maintenance of the Mission for the 12-month period from 1 July 2008 to 30 June 2009 to the amount of $37,016,400;**

(b) **To reduce the amount of staff assessment income of $2,339,800 approved by the General Assembly under the terms of its resolution 62/259 for the maintenance of the Mission for the 12-month period from 1 July 2008 to 30 June 2009 to the amount of $1,111,400;**

(c) **Taking into account the amount of $8,750,833 already assessed on Member States under the terms of General Assembly resolution 62/259 for the maintenance of the Mission for the period from 1 to 31 July 2008, to assess the additional amount of $28,265,567 for the administrative liquidation of the Mission for the period from 1 August 2008 to 31 January 2009.**

V. Summary of follow-up action taken to implement the decisions and requests of the General Assembly in its resolution 61/276 and requests and recommendations of the Advisory Committee on Administrative and Budgetary Questions endorsed by the Assembly, and of the United Nations Board of Auditors

A. General Assembly

(Resolution 61/276)

Decisions and requests to the Secretary-General	*Action taken to implement decisions and requests*
Section II: budgeting and budget presentation	
When submitting future budget proposals and performance reports, include information on the most significant management decisions relating to the mission's budget and its implementation, including those related to operational costs (para. 2).	Implemented in the context of the present revised budget.
Budget submissions should reflect management improvements and efficiency gains to be achieved and present future strategies in that regard (para. 4).	The present revised budget provides information on the administrative liquidation of the Mission.
Take further steps towards improving budget assumptions and forecasts and report thereon to the General Assembly at the second part of its resumed sixty-second session (para. 5).	The present report includes resource planning assumptions in section I.B.
Improve control over obligations due to the significant increase in the cancellation of prior-period obligations (para. 6).	UNMEE continues to carry out regular and systematic monthly reviews of all outstanding obligations with the respective cost centre managers and responsible certifying officers to ensure that only valid financial commitments are retained in the accounts. Moreover, cost centre managers continue to provide a validity status report for each outstanding obligation on a monthly basis to the Finance Section for continuous monitoring. Due to the liquidation process, the Mission is placing increased emphasis on the timely review and closing of obligations.

Decisions and requests to the Secretary-General	*Action taken to implement decisions and requests*
Section III: results-based budgeting	
Integrate operational, logistical and financial aspects fully in the planning phase of peacekeeping operations by linking results-based budgeting to the mandate implementation plans of peacekeeping operations (para. 2).	In view of the termination of the Mission's mandate on 31 July 2008, the present revised budget includes only the support component frameworks.
Section VII: staffing, recruitment and vacancy rates	
Make greater use of national staff, as appropriate, commensurate with the requirements of the Mission and its mandate (para. 3).	During the administrative liquidation period, the Mission will rely extensively on national staff in order to complete liquidation tasks by 31 January 2009.
Ensure that vacant posts are filled expeditiously (para. 4).	In view of the termination of the Mission's mandate on 31 July 2008, its proposed staffing establishment reflects the drawdown of staff based on the actual incumbencies as at 30 June 2008. In view of the continuing restrictions on the Mission's operations in Eritrea and the relocation of military personnel from Eritrea during the financial period 2007/08, the Mission curtailed the recruitment of staff after February 2008.
Review the staffing structure of missions on an ongoing basis, bearing in mind, in particular, the Mission's mandate and concept of operations, and reflect this in budget proposals, including full justification of any additional posts proposed (para. 5).	Justification of UNMEE's proposed staffing establishment reflects staffing requirements during the administrative liquidation period.
Section IX: training	
Provide professional development opportunities for national staff and fully include them in all relevant training programmes (para. 2).	Provision has been made in the present report to increase national staff training programmes in the preparation of personal history profiles, the development of interviewing skills and training in the establishment of small enterprises in order to enhance national staff employment opportunities after the completion of the Mission's administrative liquidation.
Section XIII: air operations	
When reviewing their transportation requirements, missions must take into account means that are efficient, cost-effective and responsive to their operational needs and that ensure the safety of their personnel and take fully into account the unique mandate, complexities, specificities and operational conditions of each mission (para. 4).	The proposed revised budget includes air transportation requirements for the administrative liquidation period.

Decisions and requests to the Secretary-General	*Action taken to implement decisions and requests*
Section XVIII: quick-impact projects	
Quick-impact projects should be implemented with minimal or no overhead charges in order to ensure that the maximum amount is spent for the direct benefit of the local population (para. 5).	Not applicable.
Funding for quick-impact projects for the third year of a mission and beyond may be requested if there is a requirement for confidence-building activities, in which case a needs assessment should be conducted (para. 6).	Not applicable.
Coordination with humanitarian and development partners should be made in order to avoid duplication and overlap of activities between missions and humanitarian and development partners in the field (para. 7).	Not applicable.
Mission budgets allocated for quick-impact projects should not be used to finance humanitarian and development activities already being carried out by United Nations agencies or other international organizations (para. 8).	Not applicable.
Section XX: regional coordination	
Develop and implement regional coordination plans aligned to the objectives of missions, keeping in mind the specific mandate of each mission (para. 2).	Not applicable.
Section XXI: partnerships, country team coordination and integrated missions	
Provide, in the context of the budget submissions of complex integrated peacekeeping missions, a clear description of the role and responsibility of missions vis-à-vis integrated mission partners as well as the strategies of the missions for enhancing coordination and collaboration with United Nations country teams in order to achieve better results under relevant components (para. 2).	Not applicable.

B. Advisory Committee

(A/62/781/Add.17)

Request	*Response*
The Advisory Committee expects that the outstanding [8 death and disability] claims will be settled expeditiously (para. 8).	Of the outstanding 8 death and disability claims, 1 claim was settled and 6 were closed, leaving 1 pending case. As at 31 October 2008, an additional 2 claims had been received, for a total of 3 outstanding death and disability claims.
With regard to the reimbursement of costs related to the temporarily relocated troops and equipment, consultations were ongoing within the Secretariat to determine the full extent of the Organization's legal obligations in respect of these costs. The Advisory Committee expects that this matter will be clarified in order to enable the settlement of related reimbursements to Member States without delay (para. 19).	Pursuant to the exchange of letters between the Secretary-General and the President of the Security Council (S/2008/368 dated 5 June 2008 and S/2008/427 dated 30 June 2008, respectively), the temporarily relocated military contingent personnel are considered as repatriated effective 5 June 2008. Reimbursement to the countries contributing troops to UNMEE for the temporarily relocated military contingent personnel was made on 29 September 2008.
The Advisory Committee notes that rations continue to be supplied by air from the main logistics base of UNMEE in Asmara for distribution to the military contingents. The Committee was informed that the Mission had recently raised the matter of establishing a distribution base in Ethiopia with the rations contractor. There was, however, no enthusiasm on the part of the contractor in view of the small numbers involved and the uncertainty as to the future duration of the Mission. This has added to the Mission's cost and workload, as rations previously delivered by truck in Eritrea have to be flown to northern Ethiopia, via Addis Ababa, for distribution to the contingents. The Advisory Committee encourages the Mission to continue to explore ways of supplying rations in a timely and cost-effective manner (para. 24).	The supply of rations in Ethiopia ceased in the 2007/08 period with the relocation of military contingents from Eritrea to their home countries and was subsequently provided in Ethiopia through local sources until the repatriation of all contingent personnel by 31 October 2008.

Request	*Response*
Upon enquiry, the Advisory Committee was informed that the Mission maintains engineering assets that have become depreciated, but are still functional, and that it would not be economical to transfer these assets to another Mission or return them to the United Nations Logistics Base in Brindisi, Italy. The Advisory Committee notes that the Mission continues to maintain and use these assets. It stresses, in this connection, that the maintenance cost of old and/or outdated equipment should not exceed the cost of replacement. The Committee was also informed of high inventories of vehicles in Eritrea, which were beyond their useful life, and of the fact that the local authorities have not granted permission to UNMEE to dispose of or to sell these vehicles locally. The Advisory Committee expects that the Mission will develop an asset disposal plan and present such a plan in the next budget submission (paras. 25 and 26).	In view of the termination of the Mission's mandate on 31 July 2008, UNMEE maintains assets that are actually in use. The asset disposal plan was prepared and is being implemented during the liquidation process.

C. Board of Auditors

(A/62/5 (Vol. II), chap. II)

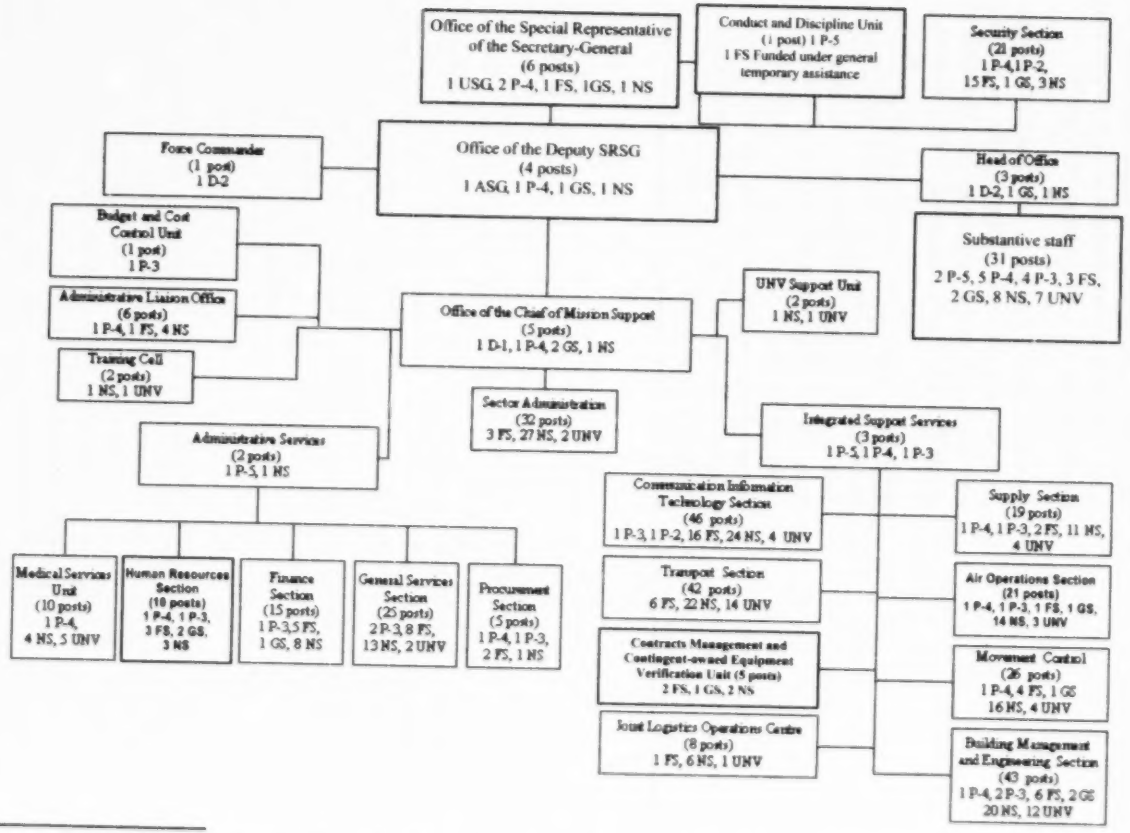
Recommendation	*Implementation*
At UNMEE 14 miscellaneous obligating documents totaling $0.55 million were without specific payees and therefore the parties contracted could not be established. The Board recommends that UNMEE strictly adhere to the requirements of rule 105.9 of the Financial Regulations and Rules of the United Nations in relation to unliquidated obligations, and improve their internal control procedures (paras. 43 (b) and 44).	The Mission ensures strict compliance with rule 105.9 of the Financial Regulations and Rules of the United Nations. As an internal control mechanism, the Mission introduced measures to ensure that invoices to be settled against miscellaneous obligations are certified by the concerned cost centre managers before disbursements are made.
As an alternative, the Mission was considering the transfer of some items to other missions or to the United Nations Logistics Base. The Board recommends that the Administration expedite the review of non-expendable property at all missions to ascertain the realistic quantities that should be held and take appropriate measures to redeploy surplus assets to other missions in need of them or to the Logistics Base, or to dispose of them (paras. 120 and 123).	UNMEE has 16,400 items of non-expendable assets in its inventory. Approximately 25 per cent of these assets are planned for transfer to the African Union-United Nations Hybrid Operation in Darfur and the United Nations Mission in the Sudan. The commercial proposal for the shipment of these assets to the two missions was finalized on 3 November 2008, and a plan has been developed to complete the shipment out of UNMEE to the respective missions by the end of January 2009.

Recommendation	*Implementation*
	Over 300 items have been under consideration for donation to the Government of Ethiopia, subject to approval by the General Assembly. Approximately 800 items have been requested by the United Nations agencies, funds and programmes present in Eritrea and Ethiopia and these requests are also under consideration. Approximately 2,000 items have been considered for donation to the African Union Mission in Somalia based on a request from the African Union. The donation of these assets is subject to the approval by the General Assembly. Significant quantities of assets remain in the temporary security zone. Following the request of the Government of Eritrea to remove all United Nations-owned equipment from the country, the Mission entered into commercial contracts for the retrieval of these assets from the temporary security zone, as well as from Asmara, the capital of Eritrea, for subsequent shipment to the United Nations Logistics Base at Brindisi, Italy.

Annex

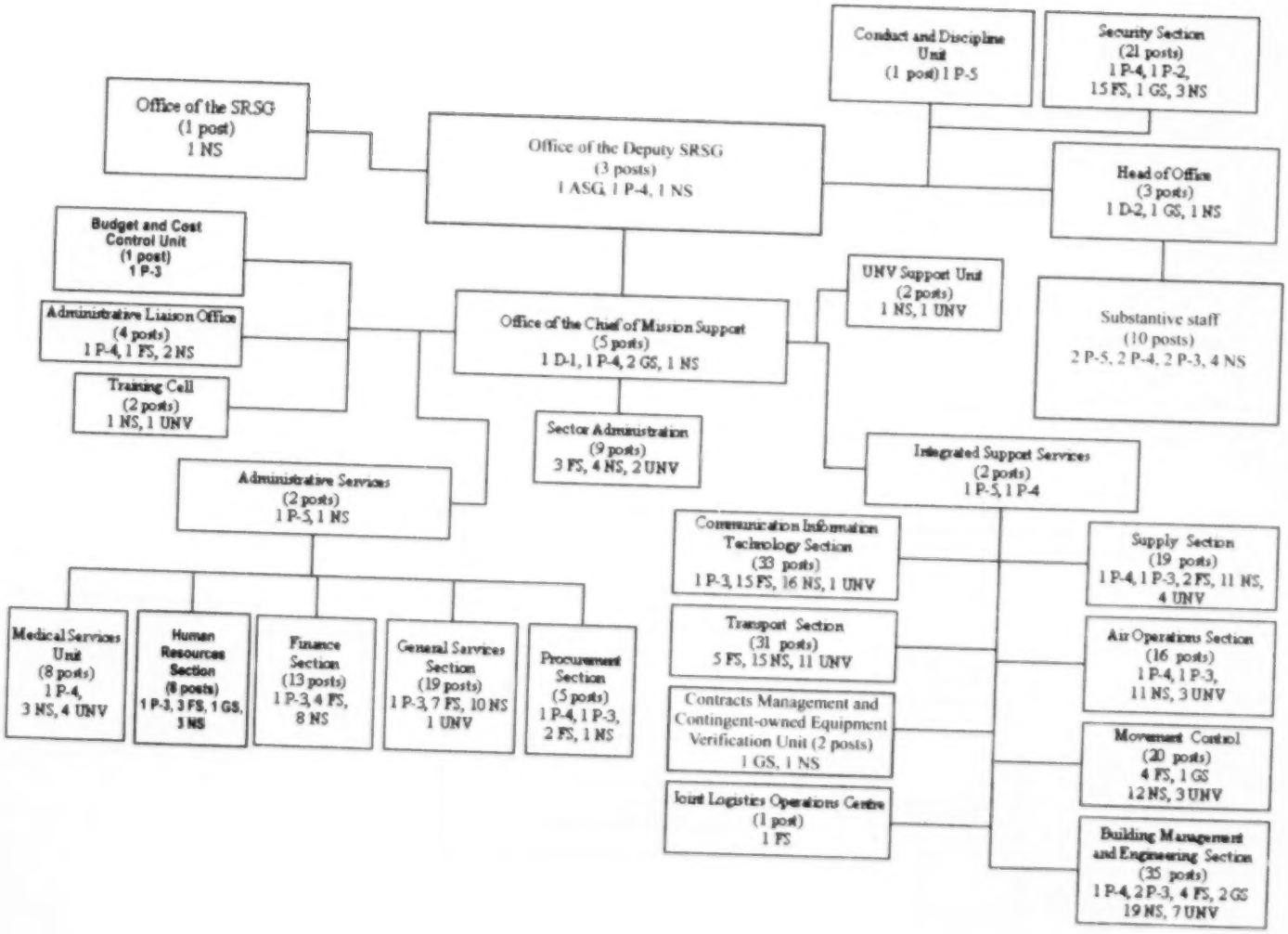
Organization charts

A. As at 1 July 2008

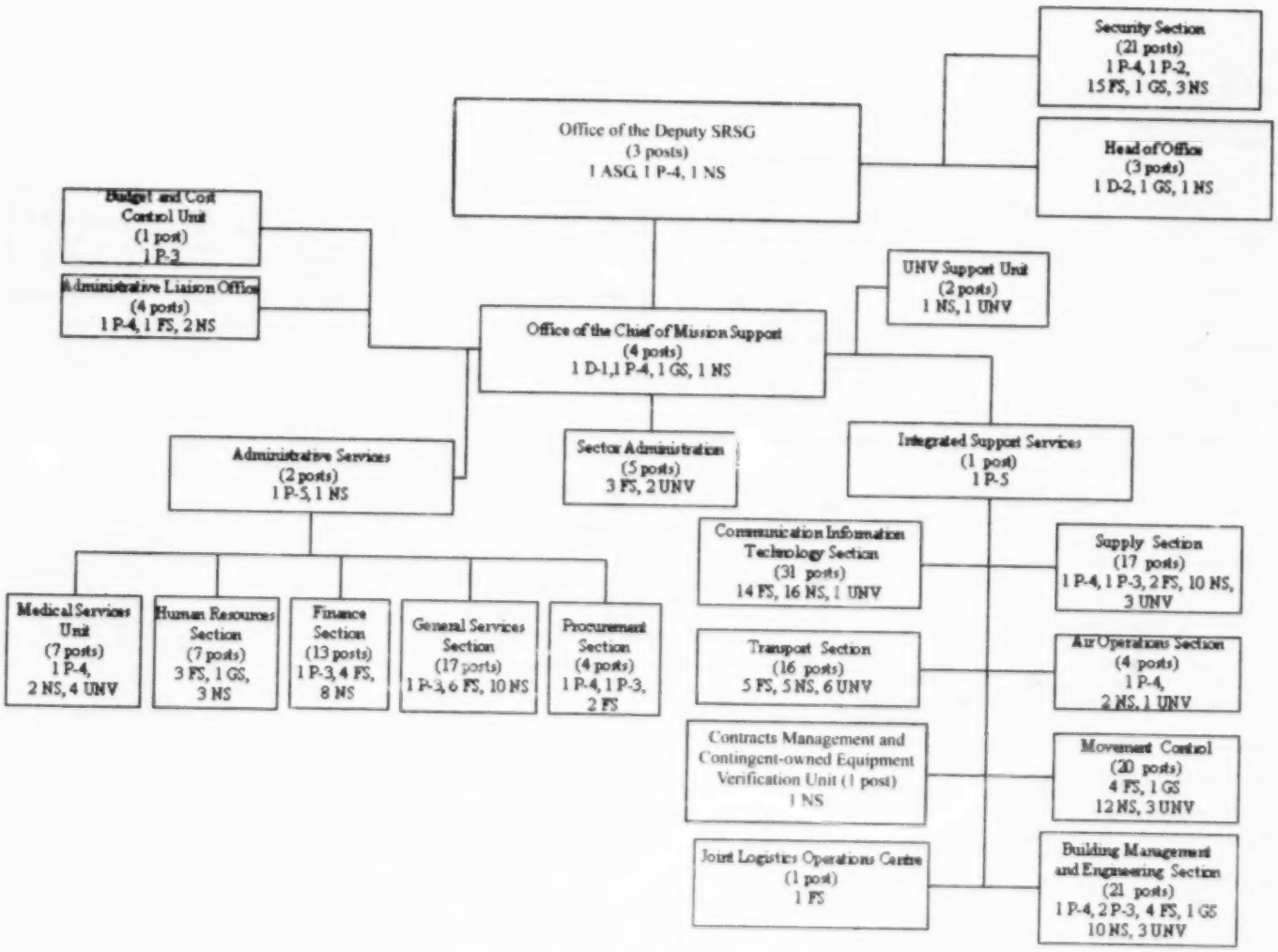


Abbreviations: USG, Under-Secretary-General; ASG, Assistant Secretary-General; SRSG, Special Representative of the Secretary-General; P, Professional; FS, Field Service; GS, General Service; NS, National Staff; UNV, United Nations Volunteers.

B. As at 31 October 2008



C. As at 1 January 2009



United Nations A/63/547–S/2008/707

General Assembly
Security Council

Distr.: General
14 November 2008

Original: English

General Assembly
Sixty-third session
Agenda item 83
Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe

Security Council
Sixty-third year

Letter dated 13 November 2008 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

With reference to the letter of the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations, Ambassador Slobodan Tašovski, dated 6 November 2008, I wish to state that the allegations contained therein are totally baseless.

The military parade in Thessaloniki has been organized every year, on 28 October, since the liberation of Greece from the Nazi occupation, to commemorate the resistance of the Greek people to the military aggression of the Axis Powers during the Second World War. This year, upon the invitation of the Greek Defence Minister, Evangelos Meimarakis, the event was attended by his colleagues and Deputy Defence Ministers of the neighbouring countries Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Montenegro, Serbia and Turkey. Their presence conveyed a powerful and symbolic message of regional cooperation and good-neighbourly relations, a solid basis for peace and stability in South-Eastern Europe.

The Minister of Defence of the former Yugoslav Republic of Macedonia declined the invitation, informing his Greek counterpart that he could not attend because of unexpected commitments.

I wish to stress that an official protest by a third party over the organization of a military parade on the commemoration of the Greek resistance against the Axis Powers during the Second World War is unprecedented.

The customary slogans heard during these parades always reflect the celebrated occasion and are not directed against any country.

The whole question, as you may understand, is very sensitive and of great importance to the population of Thessaloniki, and of the northern Greek region of Macedonia.

08-60441 (E) 171108

I wish to underline that the Government of the former Yugoslav Republic of Macedonia has adopted an increasingly intransigent stance in the negotiations under United Nations auspices over the name issue and is always ready to blame Greece for its failings and shortcomings, as was the case recently, with regard to its relations with NATO and the European Union.

Let me state very clearly that Greece remains committed to reaching a speedy solution to the name issue, in order to improve neighbourly relations, enhance regional security and promote bilateral cooperation between our two countries. We have always said that such development would be in the interest of all concerned.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 83, and of the Security Council.

(*Signed*) John **Mourikis**
Ambassador
Permanent Representative

United Nations A/63/548

General Assembly

Distr.: General
17 November 2008

Original: English

Sixty-third session
Agenda item 154
Judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter dated 17 November 2008 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to article 13 bis, paragraph 2, of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the statute for the remainder of the term of office concerned."

On 30 June 2008, Judge Wolfgang Schomburg notified the Secretariat of his resignation from service with the International Tribunal for the Former Yugoslavia effective 18 November 2008. In consultation with your predecessor and the President of the Security Council, I appointed Judge Christoph Flügge to replace Judge Schomburg. Please find attached his curriculum vitae (see annex).*

I should be grateful if you would bring this appointment to the attention of the members of the General Assembly.

(*Signed*) **Ban** Ki-moon

* The annex is being circulated in the language of submission only.

08-60590 (E) 171108

Annex

Curriculum vitae

Christoph Flügge

Born 14 July 1947

Professional career

Since 2007 (and before)	Expert in criminal matters for the Council of Europe and for the German Foundation for International Legal Cooperation (IRZ) on implementation of Council of Europe conventions in the penal field and on reform of the prison system in Ukraine, Russian Federation, Romania, Estonia, Lithuania
2001-2007	Secretary of State at the Senate Justice Department in Berlin as head of the judiciary including the Courts of Berlin, the General Prosecutor and the Prison Administration of Berlin
1989-2001	Head of the prison department in the Senate Justice Department in Berlin
1983-1989	Criminal judge at the County Court and the Criminal District Court in Berlin
1978-1983	Civil servant and head of division in the prison department of the Senate Justice Department in Berlin
1977-1978	Public Prosecutor in Berlin
1976	Personal Assistant of the Senator for the Interior in Berlin, who was responsible for public security (including criminal investigation matters) and constitutional matters in Berlin
	Second State Examination in Berlin
1973-1976	Junior lawyer in Berlin
1973	First State Examination in Berlin
1969-1971	Assistant of a German Member of Parliament (Bundestag) in Bonn, who was a member of the legal commission of Parliament
1967-1973	Study of law at the Free University of Berlin and in Bonn

Membership of professional bodies

Since 1996	Member of the Steering Committee (now: PPMM) of the Council of Europe for the Reform of the Ukrainian Prison System
2002-2004	Member of the board of curators of the German Foundation and for 2006-2008 International Legal Cooperation
2001-2007	Member of the Council of the Foundation for the Memorial Berlin-Hohenschönhausen (former central pretrial prison of the Secret Service of the German Democratic Republic (Stasi))
2001-2007	Member of the board of curators of the Berlin University of Applied Sciences for Administration and Justice

1989-2001 Member of the Penitentiary Commission of the German Bundesländer

Since 1989 Member of the German League of Prison Governors

Related activities

Expert of the Council of Europe (seminars with the Ministry of Justice and the Supreme Court of Ukraine and with the Prison Administration of Lithuania)

Expert of the German Foundation for International Legal Cooperation (seminars with Russian Mercy Commissions, the Estonian Chancellor of Law and the National Administration for Penitentiaries of Romania)

Consultant of the Estonian Ministry of Justice and the Austrian Prison Administration

Publications

1990 DDR-Strafvollzug: Recht statt Drill, in *Neue Kriminalpolitik* 1990

1991 Alter Geist — neue Probleme, Strafvollzug nach der Wiedervereinigung, in *Neue Kriminalpolitik* 1991

1991 Der Anfang der Gemeinsamkeit, in *Zeitschrift fur Strafvollzug und Straffalligenhilfe* 3/91

1992 Auf der Suche nach neuen Wegen im Strafvollzug, in Cremer-Schäfer, ed., *Im Namen des Volkes?* (Katholische Akademie Rabanus Maurus Wiesbaden, Idstein 1992)

1993 Zur Organisation und Situation des Justizvollzuges in der Bundesrepublik Deutschland, in *Zeitschrift fur Strafvollzug und Straffalligenhilfe* 3/93

1995 Wie war es wirklich in den DDR-Gefängnissen? Uber die Schwierigkeiten mit einer "amtlichen Auskunft", in *Horch und Guck* 17, 4/95 and in *Zeitschrift fur Strafvollzug und Straffalligenhilfe* 2/96

1997 Assessment of the Ukrainian Prison System (Lakes/Fliigge/Philip/Nestorovic-Report), Council of Europe, Strasbourg 1997 (UKR V.B.4 (97) 1)

1997 ... und sie bewegt sich doch, Debatte um die Todesstrafe in der Ukraine, in *ai-Journal* 6/97

1998 Berlin zeigt Mut zur Reform, in *Neue Kriminalpolitik* 1/1998

1999 Dienstleistungsunternehmen Strafvollzug, in Bruhn, Stauss, *Dienstleistungsqualität*, 3rd ed. (Wiesbaden 1999)

1999 Untersuchungshaftanstalten des MfS, in *Strafvollzug in den neuen Bundeslandern* (Kriminologische Zentralstelle, Wiesbaden 1999)

2000 Kommerzialisierung des Strafvollzuges? in *Everything for sale?* Documentation of a session of the Evangelische Akademie Mülheim an der Ruhr, February 2000

2000 Gefängnisse als Aktiengesellschaften? in *Das Geschaft mit der Sicherheit* (Friedrich-Ebert-Stiftung, Berlin 2000)

2000 Instrumentalisierung der VoUzugsmedizin zu nichtmedizinischen Zwecken, in *Zeitschrift fur ärztliche Forthildung und Qualitatssicherung* 4/2000

2001 Von der Aufsicht zur Globalsteuerung, in Fltigge, Maelicke and Preusker, eds., *Das Gefängnis als lernende Organisation* (Baden-Baden 2001)

2001 Internationale Beziehungen und Kontakte im Strafvollzug, in Herrfahrdt, ed. *Strafvollzug in Europa* (Hanover 2001)

2002 Rechte Gewalttäter in Haft — und was dann? in *Zeitschrift fur Strafvollzug und Straffalligenhilfe* 2/02

2002 Haushaltsfragen als Stolpersteine für strafrechtliche Innovationen, in *Gemeinnutzige Arbeit statt Knast* (Friedrich-Ebert-Stiftung, Berlin 2002)

2003 Aufbruch in eine neue Reformphase im deutschen Justizvollzug, in Maelicke, Fltigge and Preusker, eds., *Perspektiven und Strategien zur Modernisierung des Strafvollzuges* (Baden-Baden 2003)

2003/2004 Freiheitsstrafe und Gefängnissystem in Deutschland — Vangiakaristus ja vanglasüsteem Saksamaal, in *Juridica International* VIII/2003 and *Juridica* III/2004 (Tartu/Estland)

2004 Reassessment of the Needs of the Ukrainian Prison System, Council of Europe, Strasbourg 2004 (SG/Ukraine (2003) 1 REV)

2004 Wertimplikationen im Studium für den öffentlichen Dienst im zusammenwachsenden Europa, in 15. Glienicker Gespräch, Fachhochschule für Verwaltung und Rechtspflege, Berlin 2004

2005 100. Tagung des Strafvollzugsausschusses der Länder, in *Zeitschrift fur Strafvollzug und Straffälligenhilfe* 1/05

2007 Wozu brauchen wir noch den Staat? Die Privaten auf dem Vormarsch? in *Forum Strafvollzug* 5/2007